

Flathead County Weed/Parks/Recreation
MINUTES
Board of Directors
Meeting Date: May 7, 2012

Members of the Board in attendance:

Jim Buechle, Clyde Fisher, Elise Robocker, Ray Sanders, Pete Woll

Members of the Board not in attendance:

All board members were present.

Also in attendance:

Jed Fisher, Superintendent; Gordon Jewett, Assistant Superintendent; and Michele Haarr, Clerk

Others Present:

Jayden Duckworth – Fish, Wildlife & Parks
Tom Esch – Foys to Blacktail Trails
Steve Frye – Department of Natural Resources and Conservation
Gail Watson-Fulsaas – Herron Foys Advisory Committee
Todd Garrett – Montana Fish, Wildlife & Parks
Skip Gilmore – Bigfork Advisory Committee
Pam Holmquist – Flathead County Commissioner
Verdell Jackson – Montana State Senate
Cliff Kipp – Foys to Blacktail Trails
Brian Manning – Department of Natural Resources and Conservation
Diane Medler – Kalispell Convention and Visitors Bureau
Caryn Miske – Flathead Basin Commission
Steve Rosso – Flathead Lakers
Jim Satterfield – Fish, Wildlife & Parks
Peter Steele – Flathead County Attorney
Nicole Stickney – Montana Department of Natural Resources and Conservation
Bob Tuman – Flathead County Recreation Department
John Ulrich – Lakeside Advisory Committee
Jim Vashro – Montana Fish, Wildlife & Parks

Call to Order

A regular meeting of the Board of Directors, Flathead County Weed, Parks & Recreation, was held in the conference room at 311 FFA Drive, Kalispell, Montana, on May 7, 2012. The meeting convened at 8:33AM, Chairman Sanders presiding.

Approval of Minutes

Minutes of the April 2, 2012 meeting of the Flathead County Weed, Parks & Recreation Board of Directors were distributed to the members of the Board.

Jim Buechle made a motion to approve the April 2, 2012 minutes.

Elise Robocker seconded the motion.

There being no further discussion and all in favor, ~ the motion was carried.

Public Comment

Steve Rosso of Flathead Lakers introduced himself and spoke regarding Curlyleaf Pondweed in Eagle Bend Harbor. The effort to implement a treatment plan has been a frustrating experience. In order to solve current and future infestations it is important to identify the road blocks and resolve them. Effective treatment requires a fast response with a good treatment plan.

Action items on Mr. Rosso's presentation include:

- Updating the Weed Management Plan, with the ability to update it quickly as needs arise.
- A procedure for quickly evaluating and approving science based treatment options.
- Implementation procedures for all property ownership situations.

Superintendent Jed Fisher indicated that the staff is working on an update of the Weed Management Plan.

Aquatic Invasive Species & Beaver Lake Closure Discussion – Fish, Wildlife & Parks, James Satterfield Jr. and Jim Vashro

Jim Satterfield recapped a recent meeting with representatives of Flathead County and stated that Fish, Wildlife and Parks do not have authority to close a body of water. Realistic management control expectations must be put in place. There is a small discrete patch of Eurasian Watermilfoil adjacent to the boat ramp at Beaver Lake which needs chemical control in the form of granular aquatic herbicide as soon as the water temperature rises.

While it is true that oxygen depletion may occur on a bigger patch this is not the case at Beaver Lake. The access and barriers on the plant need to be maintained until treatment can occur, after which the access should be closed until the treatment is finished.

On speaker phone from the Department of Agriculture were Dave Burch, Donna Rice, & Greg Ames. Mr. Burch stated that a cooperative agreement between all entities is needed. A control strategy needs to be developed based on current survey results and an Aquatic Weed Task Force should be established. The Department of Agriculture is willing to help with survey work. The responsibility remains a landowner concern. Burch further stated that it is important to consider the cost if nothing is done. He recommended removal of the bottom barriers to let the plants grow for treatment to be effective.

There was discussion of permits and environmental assessments. Burch stated that a National Pollutant Discharge Elimination System Permit (NPDES) needs to be in place. A licensed applicator is required to apply the herbicide per label requirements. The Department of Environment Quality has information regarding this permit.

Satterfield referred to a publication of the Wyoming Game and Fish Department – Habitat Extension Services, Aquatic Plant Management for Fish and Wildlife – see **Attachment A**. “Submerged vegetation can be cut and removed, but will often grow back like a lawn. Fragments left in the water may further distribute some plant species and make the problem worse. This approach is probably most suited to targeted areas of an impoundment.”

Todd Garrett indicated that divers checked and repositioned the bottom barriers at Beaver Lake and reset buoys. “Area Closed” signing was posted adjacent to the buoys and an “Alert” sign was posted adjacent to the ramp with information detailing how to prevent spreading Eurasian Watermilfoil.

Jim Vashro reported that Beaver Lake is not the only place Eurasian Watermilfoil exists. Management areas were declared in the Noxon Rapids Reservoir and Cabinet Gorge Reservoir. Chemical treatment has been applied the last couple years.

Jayden Duckworth stated that the next few weeks additional boat check stations will be established in Eureka and the I-90 Idaho border (Denamora Rest Area). Existing check stations are in Ronan and Clearwater Junction. The check stations will be open 7 days per week and staffed for 10-12 hours per day.

Steve Frye of the Department of Natural Resources and Conservation (DNRC) was present and stated that he is happy to help develop a plan.

Superintendent Jed Fisher stated that the Commissioners have been against chemical application administered by the Weed District in County water bodies. They have maintained a position that the District's responsibility is enforcement. Whoever owns the land under the water is responsible for control. The District will assist with education but not application.

Fisher stated that the Weed District has a staff of six who manage weed control for areas of Glacier National Park, the Forest Service, the State of Montana, and County road rights-of-way. The County is not in a position to fund aquatic treatment; however it does want to be a partner and will help with planning management and control efforts. The District does not have budget funds but will be supportive through grants and other funding sources.

Caryn Miske stated a check list was completed as part of the Environmental Assessment of Eagle Bend Harbor and the permit is obtained from the Department of Environmental Quality. A commercial applicator will be hired and signing will be placed. Clearwater, Ronan & Eureka are considered high risk areas and also boats coming from Lake Meade or the Midwest. Local weed movement is not covered.

There was discussion regarding a containment plan once Beaver Lake is treated. Will boats be washed down? Until the water bodies are surveyed it will be on a case by case basis. Once survey work is completed an overall plan can be developed. Superintendent Fisher will organize a meeting.

Steve Robinson questioned the number of potential launch points at Beaver Lake. It is critical to educate all adjacent landowners. It was noted that the majority of people are compliant if they receive information and are informed.

Verdell Jackson stated that he has been working on bills regarding aquatic weeds over the last 4 years, with 3.1 million dollars in the bill during the last session. Fish, Wildlife and Parks receives most of this money, along with the Department of Agriculture and DNRC. The Department of Agriculture has the legal responsibility for Eurasian Watermilfoil and FWP has authority over mussels. We need to agree to work together so we don't keep spinning wheels. There is still debate if someone refuses an interior inspection. The preference is for an MOU between FWP & the Department of Agriculture & DNRC. Senator Jackson wants to see action at the State level.

Spartan Race – Kalispell Visitors & Convention Bureau, Rob Brisendine

Rob Brisendine was not available to attend. Diane Medler from the Kalispell Visitors and Convention Bureau reported that a group of extreme athletes who love mud and cold is coming to the area next May, with May 11th & 12th being their first choice and May 25th & 26th the second option. They are looking at Herron Park as a venue because it fits their qualifications. Dallas Herron owns adjacent property and there was discussion regarding use of Mr. Herron's land as part of the race venue. This race attracts people from all over the United

States in the 80 – 85K income range and an age range from 30 – 35 years. It is anticipated there will be up to 2,500 participants and 1500 spectators.

The event is called the Spartan Race and it is anticipated it will have a significant positive economic impact for Flathead Valley, with an estimated 1.3 million in non-resident revenue. Construction is done six days prior to the race with a two-day race event. The site used will be left in the same condition as when it was received. A 15K contingency fund will be in place in addition to the rental fee.

Ms. Medler anticipates a three way contract between the Spartan group, the Kalispell Visitors and Convention Bureau and Flathead County.

Superintendent Fisher stated that the adjacent landowners be notified, Flathead Combined Training Association and Foys to Blacktail Trails. Each party mentioned has a stake in the area and each need to be informed. Tom Esch stated that FTBT wants to be a team player and wants to be a partner in encouraging this event. A primary concern is that the park be returned to its original condition. Mr. Esch commented that this group is a for-profit corporation owned by one family. Part of their model is to encourage communities to give support so that the family can make a profit. It is likely there will be different goals and interests among the affected parties. Esch recommended a special use policy be developed that will address all large groups who use the parks. Items such as fees, performance bonds, porta potties and condition need to be addressed.

Chairman Sanders indicated that an addendum to the Parks Master Plan needs to be done to include large scale rental of the parks. County Attorney Peter Steele will review it and make recommendations prior to the next meeting to allow the staff to come to the Board meeting with ideas and suggestions.

Foys to Blacktail Trails Land Acquisition & Grants – Jim Watson & Tom Esch

Tom Esch reported that the group anticipates closing on Phase III of land acquisition for Herron Park in July.

There is a Community Forest Grant available up to a maximum of 400K available which would require a portion of the land to be established as community forest. The funds will be awarded by late August and there is a 50/50 chance of being successful. An advisory board is required which could include the current board members along with other individuals. In addition, a timber management plan is required.

It was requested that Flathead County be the applicant on behalf of FTBT, with the matching funds coming from the purchase of Phase III land acquisition. Once Phase III is complete, the deed will be held by FTBT under a Memorandum of Understanding with Flathead County until the grant is awarded or declined. FTBT could administer the grant. The application is due May 15th and it has been completed. Flathead County can review it, discuss and resolve any concerns and execute it. The application was distributed to board members – see Attachment B.

Jim Buechle made a motion to support the request to have Flathead County submit the Community Forest Grant application, which is to be sent to the County Commissioners for their review.

Clyde fisher seconded the motion.

There being no discussion and all in favor ~ the motion was carried.

Bigfork Advisory Report

A schematic for construction of a kayak/canoe rack at the Bigfork Dock and a letter of support for the project were distributed to the Board – see Attachments C-1 & C-2. The Community Foundation for a Better Bigfork will donate \$500 toward the project.

The project will include the following features:

- The slab under the rack will be crowned to support drainage.
- The area surrounding the rack will be sloped at ¼" per foot.
- Pea gravel will be placed around the slab for drainage and secure footing
- Rack ends will be shielded with plastic.
- Horizontal elements are made of steel from the Kearney Rapid bridge and will be bolted to the frame.
- Rack anchors will be cemented in.
- Rack lattice work is part of the original girder design and is bolted/riveted through each other in both directions. The two vertical elements of the rack will be cross braced to each other.

Clyde Fisher made a motion to contribute \$500 toward the construction of the kayak/canoe rack to be located at the Bigfork dock.

Elise Robocker seconded the motion.

There being no discussion and all in favor ~ the motion was carried.

Skip Gilmore reported that baseball has started at the local parks. Mr. Gilmore was notified by Superintendent Fisher that none of the groups have remitted required fees, secured approved permits or executed agreements.

Sliter Park Upgrades

Superintendent Jed Fisher reported that the construction of improvements at Sliter Park is moving forward and Martel Construction will oversee the project. There will be new toilets, fixture, electrical, and T-111 siding on the exterior.

Foys/Herron Advisory Report

Gail Watson-Fulsaas reported the following:

Foys Lake Access and Dock - The Planner who was working on the improved access plan is no longer employed with Flathead County and the project is stalled. The plan does need this review and approval because the project is in a lakeshore zone.

Herron Park - Signs are posted asking equestrians to avoid wet areas. It was suggested that the County consider limitations on use of specific areas while the ground is soft. The deteriorating A-frame will be torn down and hauled away. A notice that fines for dogs off leash will be published with the recreation ad.

Foys to Blacktail Trails Report

Tom Esch reported that things are going well. Herron Park is in good shape and is being used a lot. Recently the Montana Conservation Corps (MCC) had a great training session at Herron Park. Board member Elise Robocker participated in this event and commented that it was a great day – well coordinated and fun for everyone. On Saturday there were 80 participants for the Herron Hustle.

National Trails Day is on June 2nd and both the MCC and FTBT will be participating.

Lakeside Advisory Report

John Ulrich reported that the Coast Guard Auxiliary will be contacted regarding a donation for a new slide to be located at Ben Williams Park.

Middle Forks Advisory Committee

There was no one present from Middle Forks Advisory Committee.

Weed Management Plan / Discussion Aquatic Invasive Species / Grant – Special County Noxious Weed Trust Fund / Grants – Aquatic Surveys

Each Board member received a draft of the Weed Management Plan – **see Attachment D**. Superintendent Jed Fisher reported that there has been no major rewrite since 2004, after which time there were minor revisions with current dates approximately every two years.

Mr. Fisher recommended that the Board look at the District's role regarding enforcement and specifically called attention to pages 3 & 4 – Montana Noxious Weed List; page 9 – Waterways and page 21 under Proper Herbicide Application which states that no chemical application is ever applied to water bodies.

Steve Rosso suggested that the aforementioned statement on page 21 be regarded as applying to terrestrial application only. A separate statement should be added specifically for aquatic weeds.

Fisher reported that the grant application submitted for continuing work with Tansy Ragwort was funded at half level. Temporary staff will be employed and trained to assist in the Tansy work.

Fisher reported that a grant application was submitted to the Department of Agriculture for work with aquatic invasive species and it was denied. The Weed District was referred to the Department of Natural Resources and Conservation (DNRC). Two grant applications were then submitted to DNRC for aquatic survey work, however, until a group strategy can be defined and a cooperative effort is established these grant applications are on hold. The current staffing level does not support additional weed work, specifically for aquatics.

Caryn Miske reported that their group has been awarded two grants and has surveyed 25% of water bodies with an anticipated 50% to be completed this year. Due to high water levels last year's work began late in the season. How much gets done depends on the amount of funding available.

Board member Elise Robocker requested that all planned survey work and results be linked to the County.

Steve Rosso stated that much of the concern involves a difficulty with identifying what party is responsible for weed control. It is important to know the parameters ahead of time so the treatment process can begin quickly. If responsibility for aquatic weed can be established, whether it be private land ownership, DNRC, the County, or another agency, it will be possible for quicker control and possible eradication.

County Attorney Peter Steele has begun a review of the draft Weed Management Plan. Mr. Steele stated that the problem is there are so many different scenarios. Although a lot of progress was made this day, aquatics remain a moving target and will continue to be a case-by-case basis.

Caryn Miske suggested that a broader Memorandum of Understanding be established for Rapid Response and Containment.

Weed Rodeo

Superintendent Jed Fisher reported that last year the Finance Department questioned a \$500 sponsorship of an annual Weed Rodeo. The Montana Conservation Corps, youth groups and other individuals participate in a weed pulling event that takes place in the Middlefork area. A sponsorship of \$250 was requested this year to be applied toward lunch food for participants.

Jim Buechle made a motion to sponsor the Weed Rodeo in the amount of \$250.

Elise Robocker seconded the motion.

There being no discussion and all in favor ~ the motion was carried.

Revegetation Policy

Assistant Superintendent Gordon Jewett requested that the Board review the existing Revegetation Policy and Execute a copy if acceptable – **see Attachment E**. By statute the County has control of this policy.

Park Regulation Update

A second reading of the Park Rule Enforcement Ordinances is scheduled before the Commissioners on Thursday May 10th at 9:30AM.

Other Business

GPS Tracking Units – Superintendent Jed Fisher reported that after two years and three months the GPS tracking units purchased for the Weed District are not working properly. If all concerns cannot be resolved within the next week he will turn the matter over to the County Attorney.

Landfill Property Acquisition – Mr. Fisher reported that although very preliminary, the landfill is looking for additional land to satisfy demands over the next 25 years. If successful in the acquisition of adjacent parcels they plan to give back a site for public use in the landfill area. Fisher pointed out that the acquisition of Belton State Park in West Glacier occurred under similar circumstances. The County has no park land in the east valley.

There was no other business.

Adjourn

Clyde Fisher made a motion to adjourn the meeting at 11:37AM.

Elise Robocker seconded the motion

There being no discussion and all in favor ~ the motion was carried.

The time and place of the next regular meeting is Monday, June 4, 2012 at 8:30 AM in the conference room at 311 FFA Drive, Kalispell, Montana.

Aquatic Plant Management for Fish and Wildlife

Habitat Extension Bulletin

No. 21

There are numerous species of aquatic plants in a wide diversity of shapes and sizes. Similarly, a range of opinion exists on what constitutes an aquatic plant.

Any puddle of water persisting for a month starts to turn green from microscopic algae. If a body of water remains for a year, higher forms of algae, submerged vascular plants, and emergent shore-line plants may appear. This procession is natural and beneficial to aquatic ecosystems. This bulletin provides information about the benefits of aquatic plants and ways to manage aquatic plants to achieve results that benefit the human user, fish, and wildlife alike.

Benefits of Aquatic Plants

Through photosynthesis, aquatic plants convert the sun's energy into oxygen and carbohydrates, a process called primary production. Many invertebrates and some vertebrates feed

directly on aquatic plants and are, therefore, known as primary consumers. Other animals eat primary consumers and are called secondary consumers. The progression proceeds through several more levels, each made possible originally by the nutrition and life-sustaining oxygen of aquatic vegetation.

Fish derive many benefits from the presence of aquatic vegetation. Some species feed on plants, but in North America, it is more common for fish, such as the fathead minnow and gizzard shad, to eat microscopic algae. Aquatic plants are used for shelter by many fish species. Experienced anglers know that "weed beds" are good places to catch fish. Also, insects and other invertebrates which fish feed upon use aquatic vegetation for attachment, shelter, and food. Some fish species, including northern pike and yellow perch, spawn on plants.

Waterbirds consume aquatic plants, though



yellow-headed blackbird in marsh habitat

Habitat Extension Services



only the seeds contribute much energy. During periods of high protein need, such as for egg laying and molting, waterfowl rely heavily on small aquatic animals (insects and shrimp). Aquatic vegetation, which is so important for invertebrates, is indirectly related to waterfowl production at these critical times. Nesting and shelter of waterfowl are also enhanced by aquatic vegetation.

Other wildlife would not live in and around ponds if aquatic plants were absent. Frogs, turtles, snakes, some songbirds and raptors, muskrats, mink, and many other animals all derive food, directly or indirectly, and shelter from aquatic plants.

Besides being a food source and place for shelter, aquatic vegetation can also save a pond from ruin caused by the siltation and turbidity of shoreline erosion. Stands of submergent and emergent vegetation in shallow water can subdue the erosive force of waves.

Despite these many benefits of aquatic plants to wildlife, pond owners commonly view aquatic plants as a nuisance. Instead of eliminating all aquatic plants, effective pond management involves determining and maintaining optimum amounts of vegetation.

Kinds of Aquatic Plants and Their Value to Fish and Wildlife

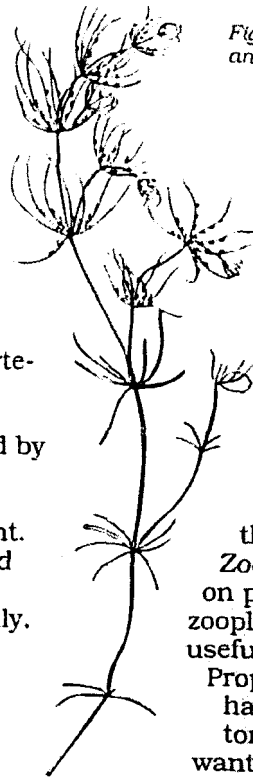
Algae

Algae constitute a group of plants ranging from single-celled plankton to complex plants. Technically, they have no leaves or flowers. Three categories of algae are recognized: planktonic, filamentous, and macrophytic.

Planktonic Algae

The microscopic algae living in the water column are called phytoplankton. This group of plants, at

Figure 1. *Chara* (after Matsumura and Harrington 1955).



high density, gives water a green color, which is sometimes called a "bloom." Planktonic algae quickly find their way into an impoundment; there is no need to introduce them.

Because of the small size of planktonic algae, few fish species are able to feed upon them. Yet phytoplankton are critical to any aquatic system for a number of reasons. Phytoplankton produce most of the oxygen in an aquatic ecosystem.

Zooplankton (microscopic animals) feed on phytoplankton, and fish then consume zooplankton. Also, phytoplankton can be a useful tool for managing higher plants.

Properly timed applications of fertilizers have been used to increase phytoplankton numbers, thereby shading out unwanted, rooted plants. On the negative side, planktonic algae use oxygen for respiration at night, when no oxygen is being produced. This can deplete oxygen levels to a point where fish die. A specific group of planktonic algae known as blue-green algae can cause taste and odor problems in water and fish.

Filamentous Algae

Filamentous algae are long green threads, or filaments. These algae often form mats that look like slimy cotton. Filamentous algae are considered a nuisance more often than any other plant group. Fish have a hard time swimming through the filaments; in fact, one species, known as fish net algae, resembles a fish net that entangles small fish. Young waterbirds, such as coots and ducks, can drown after becoming entangled in filamentous algae. From a human viewpoint, pond aesthetics, swimming, boating, and fishing are compromised when too much filamentous algae is present. On the positive side, a few fish species, such as golden shiners, use filamen-

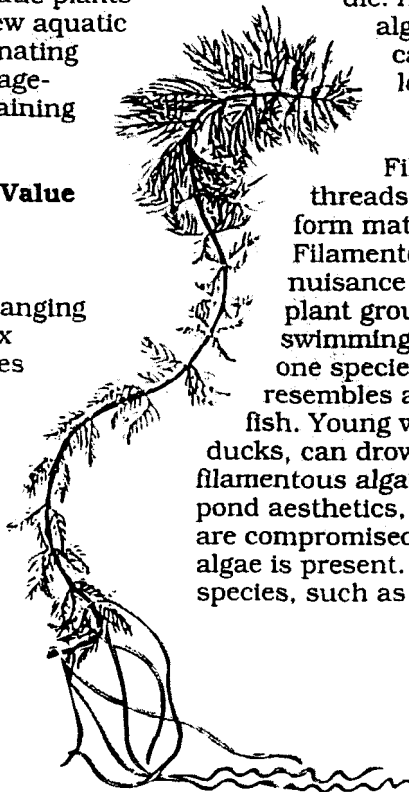


Figure 2. *Ceratophyllum* (after Matsumura and Harrington 1955).

tous algae as spawning substrate. Also, coots and gadwall ducks eat some species of filamentous algae. In general, this group of aquatic plants requires management to avoid user conflicts.

Macrophytic Algae

Macrophytic, or advanced, algae resemble rooted, vascular plants. However, these algae have no roots or vascular bundles. *Chara* is the most common plant in this group. It can be confused with the vascular plants called *Ceratophyllum* (coontail) and *Myriophyllum* (water milfoil), and it is important to accurately identify *Chara* if a herbicide is to be used because vascular plant herbicides are ineffective on algae. Unlike these other plants, *Chara* has no roots and flowers (Figure 1), and has a skunk-like odor from which its common name, musk-grass, is derived. Coontail and water milfoil may have a musty, pond odor but not a skunk odor. The leaves of coontail have a horned appearance (Figure 2), and the leaves of water milfoil are feather-like (Figure 3).

The major wildlife benefit of macrophytic algae is shelter. Fish and many invertebrates live in and around plants of this group. Some species of fish spawn on macrophytic algae, and this group of plants is particularly important as a food source for waterfowl. Muskrats and 22 species of ducks are known to feed on macrophytic algae. Macrophytic algae seldom grow more than three feet tall, impacting water sports only in shallow water.

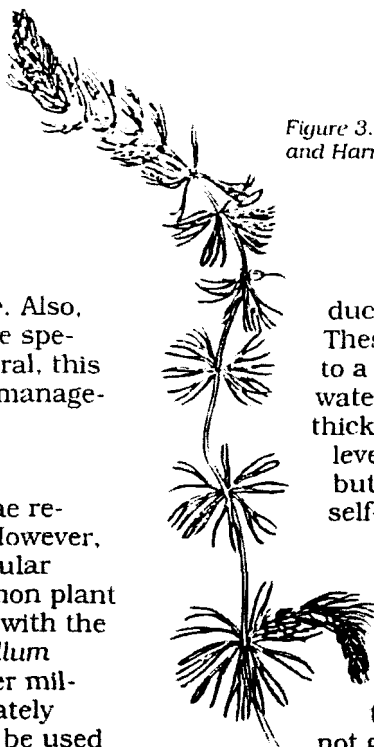
Macrophytes

Macrophytes have flowers, true leaves, and roots. It is useful to split macrophytes into three groups: free-floating, submergent, and emergent.

Free-Floating Macrophytes

Free-floating plants in North America are represented by tiny plants known collectively as

Figure 3. *Myriophyllum* (after Matsumura and Harrington 1955).



duckweeds, or sometimes, watermeal. These plants range in size from a pin head to a match head. They grow only in still water, and dense growths (several inches thick) often indicate high phosphorous levels in water. These plants can flower, but most of their propagation is through self-replication.

These free-floating macrophytes are important to a number of wildlife species. Fish derive shelter from duckweeds, and waterfowl and muskrats eat them. Sometimes duckweeds become so abundant on the surface that submerged plants can not get enough sunlight to grow.

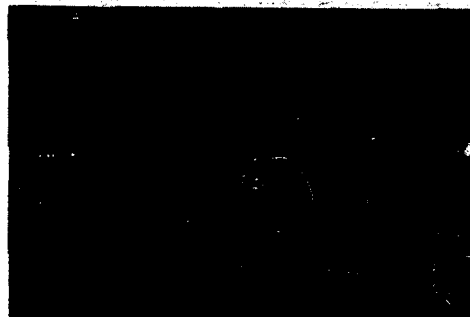
Submergent Macrophytes

Plants in this group grow from the bottom to the surface, and consequently some of the leaves may float (e.g., water lilies). However, because of their attachment to the pond bottom, submergent plants should not be confused with free-floating plants.

Fish, insects, and other invertebrates use submergent vegetation for shelter. Dense growths of these plants are referred to as "weed beds" by anglers. Submergent plants are also extremely

important to waterfowl. Most produce seeds above water, and some produce edible tubers. The true pondweeds (*Potamogeton*), wildcelery (*Vallisneria*), and coontail are examples of submergent plants valuable to waterfowl. Some submergent plant species, such as water lilies

water lilies





arrowhead

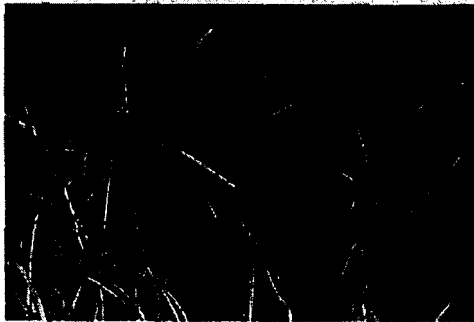
(*Nymphaea*), spatterdock (*Nuphar*), water buttercup (*Ranunculus*), and American elodea (*Elodea*), are used as ornamentals in aquariums and backyard ponds.

Most submergent plants grow densely in shallow water. They reduce wave action, thereby slowing bank erosion. However, because of their dense growth, submergent plants sometimes hinder swimming, boating, and fishing.

Emergent Macrophytes

Emergent plants grow from the shallow bottom of a pond up through the water to a considerable distance into the air. If the water level recedes, plants in this category usually survive. Common emergent plants are cattails (*Typha*), arrowhead (*Sagittaria*), rushes (*Scirpus*), spikerushes (*Eleocharis*), sedges (*Carex*), and smartweed (*Polygonum*). Two grasses are commonly found in the wet conditions adjacent to ponds in the inter-mountain region: saltgrass (*Distichlis*) and wild millet (*Echinochloa*).

cattails



Only very young fish utilize emergent vegetation for shelter due to shallow water conditions. However, this kind of vegetation produces many

insects, and consequently fish benefit indirectly. Similarly, frogs and snakes seek shelter and food produced in emergent vegetation. Waterfowl and other birds nest, find shelter, and eat parts of emergent plants as well as insects produced there. Muskrat and mink make use of food and shelter available in emergent vegetation. Because the plants and much of the wildlife utiliz-

ing them are visible, emergent plants add considerably to pond aesthetics. Emergents grow along shorelines, thus reducing bank erosion. Without some management of emergent plants, they can grow too dense and become nearly impenetrable.

Manipulation of Aquatic Plants

Natural ponds and wetlands have gradually established plant and animal life over thousands of years. However, modern land use practices, such as grazing, tilling the surrounding land, drainage, and fire suppression, can impact natural processes. Constructed ponds and wetlands have not been shaped by the forces of time but are also subject to the effects of land use practices. Thoughtful management is essential if these relatively fragile ecosystems are to be supported and preserved.

There are several key concepts to keep in mind when trying to manipulate aquatic plants. Moderation should be a guiding principle. Too little vegetation can be as detrimental to a system as too much. Also interspersion, or "edge effect," adds greatly to the wildlife value of the habitat as does species diversity.

Water Depth

Farm pond construction guides generally suggest digging one-fourth to one-third of the pond area at least 10 feet deep to insure winter survival of fish. For human safety, pond bank slope should be no steeper than 3:1 until the water reaches a depth of five feet.

Since the presence and diversity of plants are related to water depth, it makes sense to vary water depth. Areas of deep water do not need to be located in the center of the pond. A shallow area in the middle of a pond will encourage growth of a "weed bed" and may provide great fishing. An island adds "edge" and duck/goose nesting sites. Shorelines need not descend at a uniform 3:1 slope. They can be less steep in





American avocet

places, or they can undulate. However, large areas of shallow water, which may promote excessive plant growth, should be avoided.

Water Level Control

In addition to designing a pond with different water depths, manipulation of water depth to provide flooding and drying can be a powerful management tool. These measures have strong impacts on plant growth. To fluctuate water levels with proper timing, it is desirable to have access to a flow of at least one-half cubic feet per second (cfs) and to have a water control structure with dam boards. For waterfowl and other shoreline inhabitants, it may be desirable to construct a series of dikes to cover more area with shallow water. A single dike requires more depth to cover the same area.

With intentional lowering of water levels, it is possible to create waterfowl feeding areas by planting smartweed, barnyard grass, or proso millet. This must be done during normal spring planting times. In the fall, gradually flood the seeded area no deeper than 10 to 15 inches. If the water is deeper than this, dabbling ducks cannot reach the seeds on the bottom. The nutritional value of seeds does not deteriorate from long soaking.

If unwanted vegetation has been mowed or disked during lower water levels, the plant parts will decompose and produce abundant invertebrates when re-flooded. Try to flood that area shortly before waterfowl nesting season (early April) that nests will not be flooded, but high numbers of invertebrates will be available in shallow water for newly hatched ducklings.

Substrate

Aquatic plants grow best in fertile soils. Unless four to six inches of topsoil are provided along the shoreline of gravel pit ponds, few emergent plants will grow. The location of growth can

be controlled by the placement of fertile soil. For example, to create swimming beaches, plant growth can be discouraged through a process called "blanketing," spreading a sheet of plastic over an area and covering it

with sand. Sand is a rather sterile substrate and the plastic will prevent roots from reaching fertile pond soil. This process also can be used to intersperse vegetation in ponds.

Shading

In the southeastern U.S., fertilization of pond waters to promote phytoplankton growth is recommended. By encouraging algae blooms that reduce sunlight penetration through the water column, submerged plants can be reduced or eliminated. It is important to maintain consistent numbers of algae through the summer because if the bloom is lost and rooted vascular plants have started growing, fertilizing will only accelerate vascular plant growth. This technique has been used with very poor success in the western U.S. and is not recommended for this region.

Plantings

As mentioned earlier, aquatic vegetation will find its way into water bodies. It may be desirable, however, to speed the process by planting specific aquatic species, which ensures that valuable species are present.

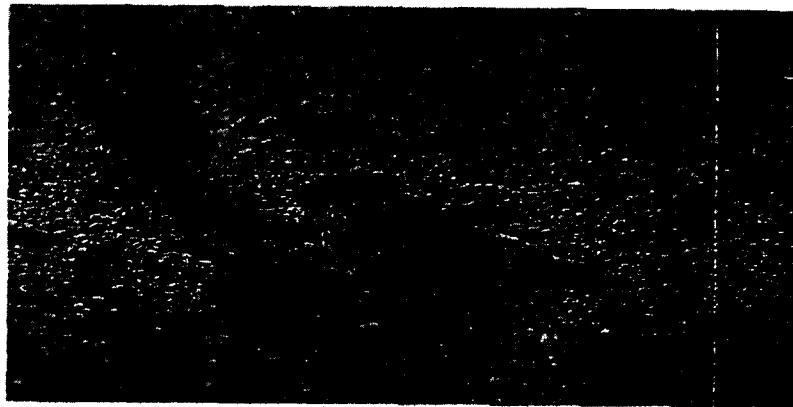
When plant seeds are available, they can be scattered over appropriate areas. Some aquatic plants develop from tubers which can be transplanted while other aquatic plants spread from plant pieces.

To avoid noxious, exotic plants like purple loosestrife (*Lythrum salicaria*), hydrilla (*Hydrilla verticillata*), and Eurasian water milfoil (*Myriophyllum spicatum*), positively identify the plant species you transplant. If you are unsure, seek identification assistance from the Wyoming Game and Fish Department, Cooperative Extension Service, or the Weed and Pest District of



leopard frog

the Natural Resource Conservation Service (NRCS), formerly the Soil Conservation Service.



areas can be mowed prior to seed formation and again about a month later. Fall mowing is also useful but results are

Control of Nuisance Vegetation

Despite the best plans and management efforts, aquatic plant communities often progress toward greater densities and dominant species. Control measures may be necessary to maintain productivity and usefulness. No single control is appropriate for all situations. Biological control is preferred when possible; herbicides should be used with extreme care. In some situations, integration of mechanical, chemical, and biological control measures may offer the best solution.

Mechanical Control

Mechanical control is perhaps a poor term for a catch-all category of disrupting or killing plants from a physical standpoint. Drying, flooding, cutting, and burning are common mechanical control measures.

If submerged vegetation has become a problem, a fall draw-down to dry unwanted plants will set back their growth the next year. If plant roots freeze over winter, their regrowth will be further reduced. Before implementing a fall draw-down, be certain that adequate water levels remain in the impoundment to avoid a winter fish kill.

Submerged vegetation can be cut and removed, but will often grow back like a lawn. Fragments left in the water may further distribute some plant species and make the problem worse. This approach is probably most suited to targeted areas of an impoundment.

Cattails sometimes become too dense around the edge of a pond, hindering access. Dense willow (*Salix*) and cottonwood (*Populus*) growth can present similar problems. Dried cattail

shorter lived. Willow and cottonwood saplings, up to three inches in diameter, can be effectively controlled by disking. Prescribed burning of dry cattails will damage their root system and impede re-growth. Cattails also can be killed by raising the water level three and one-half to four feet during the growing season. Similarly, if willow and cottonwood seedlings are flooded to cover all above ground growth, they will die. Keep in mind the guiding principles of moderation and interspersation when controlling cattails, willows, or cottonwoods using these measures.

Mechanical measures are labor intensive, and the results are short-lived. With the possible exception of prescribed burning, mechanical means are not likely to be overdone because workers will grow weary before excessive effort has been expended. Because of the temporary impact, mechanical control techniques are unlikely to cause long-term damage.

Chemical Control

Various herbicides have been found to be effective in killing aquatic plants. Unfortunately, treatment of submerged vegetation is presently an "all or nothing" proposition. There are suggestions of treating half a pond at full dose, but experience has shown that if the wind blows sometime within several days of treatment, the entire pond will be treated at half a dose. With foliar (direct) application on emergent plants, it is easier to apply herbicides to small areas and achieve desired results. Aerial spraying should be avoided; it covers too much area and may impact non-target vegetation.

When considering herbicides, take the following precautions. Check state laws regarding

application procedures and rates before treatment. Only a licensed applicator should apply herbicides; this assures that the person knows what herbicides have been approved for aquatic use and how to apply them safely. Do not consider unapproved chemicals even if they are cheaper. Finally, be aware that oxygen depletion in the water can endanger fish communities and is a common occurrence following herbicide application. Dead plants cannot carry out photosynthesis to produce oxygen, and bacterial decomposition of dead plants puts a heavy demand on existing oxygen resources.

The table below lists herbicides found to be effective in the intermountain U.S. Use higher dosages in hard waters and an agriculture "sticker" for emergent plants with waxy leaves. Because tender, growing plants are more susceptible to herbicides, do not expect satisfactory results after August.

When herbicides work, they are fast and thorough. For these reasons they are popular. However, complete elimination does not fall within the guidelines of moderation. Also, herbicides are very expensive, and results last only one to three years in most cases.

Biological Control

With present-day environmental concerns regarding chemicals, biological control of

aquatic vegetation is receiving more attention. While there is still much to learn in this area, one thing is clear: biological control takes patience. One to three years may be necessary before desired changes are seen.

Crayfish, fish, and muskrats are examples of biological control tools. The principal food of crayfish is aquatic vegetation. *Orconectes causeyi* is a non-burrowing crayfish found in the western U.S. that effectively reduces aquatic vegetation. However, largemouth bass (*Micropterus salmoides*) reduce crayfish numbers, so where they are present, vegetation may reach undesirable levels. A close relative, *O. rusticus*, the rusty crayfish, has been devastating to desirable aquatic vegetation in northern Wisconsin and should not be introduced. It is likely that in the absence of predators, most native crayfish will control submerged aquatic vegetation, thus making exotic introductions unnecessary.

Grass carp (*Ctenopharyngodon idellus*) are a north-temperate species from China that has great potential for biological control of submerged vegetation, but the common name has aroused emotions. Grass carp are legal in only a few states, and many of those, including Wyoming, require a permit. Stocked grass carp must be sterile (triploid) fish. Contact the Wyoming Game and Fish Department regarding stocking

CHEMICALS TO CONTROL AQUATIC VEGETATION

Phytoplankton

Copper sulphate	3/4 to 1 lb per surface acre
Aquazine	1 ppm

Filamentous algae

Copper sulphate	5 to 6 lb per acre-foot
Cutrine Granular	spot treatment for Chara
Cutrine plus	0.6 - 1.2 gal per acre-foot
Aquazine	1 to 2 ppm

Submerged aquatic vascular plants

Aquathol K	0.3 - 2.6 gal per acre-foot
Diquat	1/4 to 3 ppm
Sonar	15-20 lb per surface acre

Emergent

Dalapon	foliar spray
Rodeo	foliar spray
2, 4-D	foliar spray

permits and requirements.

The major problem with grass carp involves identifying stocking rates to achieve reduction rather than elimination of submerged aquatic plants. Grass carp are voracious eaters their second and third year of life. In later years, they eat much less. Stocking rates of 10 to 25 grass carp per surface acre should effectively reduce aquatic vegetation. Five additional grass carp per surface acre should be stocked every three to five years thereafter. Some knowledge of the existing fish community is needed to select the proper size of grass carp to stock. When large-mouth bass or other predators are present in moderate to high numbers, eight inch or larger grass carp should be stocked. When predators are not present, smaller, less expensive fish are satisfactory. A grass carp stocking model has been developed at Colorado State University, which makes adjustments for water temperature, types and amount of vegetation, level of control desired, and several other factors. This information is available from the Wyoming Game and Fish Department.

The literature on marshes recommends keeping common carp (*Cyprinus carpio*) out of wetlands. While they remove aquatic vegetation, their numbers cannot be controlled. Moderation is not possible with common carp which spawn prolifically in vegetated waters. Their use for plant reduction is not recommended.

Tilapia (*Tilapia*) are tropical herbivorous fish and require permits prior to introduction. Because they are native to warm climates, they cannot survive at water temperatures below 50° F. Any pond or wetland that freezes over will not support tilapia year-round. Consequently, tilapia must be over-wintered indoors and released in the spring. This is not practical for most pond owners.

For emergent vegetation, muskrats (*Ondatra zibethica*) are a possible biological control. Muskrats will open marsh land, cutting a considerable amount of vegetation to construct huts. An added benefit is that these huts serve as waterfowl loafing and nesting sites. To encourage muskrats to build huts (rather than bank dens), provide stable water levels and

place a bale of hay on top of two other bales of hay in water for a start. Muskrats eat many of the same plants as waterfowl; if muskrats flourish, it may become necessary to control their numbers by trapping.

Summary

Aquatic plant management is an important aspect of many impoundments. The emphasis here has been on the concept of managing for optimum levels of vegetation, rather than elimination. Aquatic vegetation provides food for many species of wildlife, and enhances aesthetics of most ponds and lakes. Many kinds of vegetation management/control can be accomplished by most pond owners with a little thought and planning. Keep in mind that expertise is available from state and federal agencies such as the Wyoming Game and Fish Department and the NRCS. Related to this, always remember to check various federal and state laws prior to implementing management practices such as herbicide application or grass carp stocking.

For More Information

The proper management of aquatic plants is a complex procedure. Because the science of managing aquatic plants is rapidly evolving, we recommend contacting the Wyoming Game and Fish Department for advice before beginning any management project.

Illustrations drawn after Matsumura, Y. and Harrington, H. D. 1955. The True Aquatic Vascular Plants of Colorado. Colorado Agricultural Experiment Station, Technical Bulletin #57. Colorado A & M. Fort Collins, CO.

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This publication is one in a series of habitat extension bulletins produced by the Wyoming Game and Fish Department. Call 1-800-842-1934 for additional information or assistance.

Habitat Extension Services



Foy's Community Forest CFP Application 2012

Introduction and project description

Flathead County, in partnership with the non-profit Foy's to Blacktail Trails (FTBT), seeks \$400,000 through the Community Forest Program to protect a critical 170 acre parcel in northwest Montana near Kalispell. The parcel is adjacent to county owned Heron Park and along the regionally significant Foy's to Blacktail Trail. Foy's Community Forest (FCF) will protect timber land for active management, provide economic benefits from timber products and recreation, provide community programs, public access, forestry and land management education, wildlife protection and other benefits the community desires and has leveraged with significant private donations.

Foy's CF will directly benefit commercial forestry in Montana, which generates 45 percent of the economic base in Western Montana and 15 percent in the state. Additionally, the acquisition will ensure continued public access to a regionally significant trail network, the Foy's-to-Blacktail Trail. The trail provides over 25 miles of public trail within Heron Park and connects to the Flathead National Forest; offering opportunities for hiking, horse-back riding, mountain biking, winter sports and public hunting.

Herron Park is a historic gateway to commercial, private timber land (open to the public) and Forest Service land to the south. However, there is a 320-acre parcel of private timberland that is a barrier to public access. This parcel was offered for sale in 2007 for residential development. The Conservation Fund (TCF) bridge-funded the property to protect it from development and to provide an opportunity for a community forest. Local partners have worked to protect almost half of the parcel, but 170 acres are under immanent threat.

Foy's CF is 3 miles from Kalispell, which experienced 40% growth in the last census. In the Statewide Assessment Response Strategy NW Montana is ranked as critical for Changing Forest Ownership Patterns. The project is in the wildland-urban interface. It is a mountainous mix of Douglas-fir/ninebark habitat type and re-emerging Ponderosa Pine Dry Forest type with four identified stand types and six soil types. It was selectively harvested in 1996 which is typical of regional forest types that are being subdivided.

Amount of cost share leveraged

To date the local community has purchased and donated to the county 100 of the original 320 acres at a cost of \$702,000. An additional 50 acres will be protected in 2012 for \$390,000; bringing the total investment to \$1,090,000. Private donations account for 53% of cash funding, additional in-kind donations are substantial. The adjacent 160 acre Chase Family Forest is protected by a donated USDA Forest Legacy easement valued at \$500,000.

There is a 170 acre remainder of the original 320 acre parcel. Flathead County is requesting a \$400,000 Community Forest Program grant to help purchase this remainder. CFP requires a 50/50 local match. We will over-match with at least \$650,000 (62%) in direct land donation and an additional 100 acres for good will.

- a) FTBT will purchase 50 acres, for donation, in 2012 at a cost of approximately \$390,000.
- b) FTBT currently has \$150,000 in cash on hand for additional land purchase and will raise more.
- c) Flathead County would like to extend the Forest Management Plan and CFP deed restriction to the 100 acres previously purchased by FTBT for \$702,000. This inclusion will add a fifth forest stand type.

This is a grassroots, community-driven project that enjoys strong public support and is not controversial. It was publically vetted in Flathead County's Park and Trail Master Plans. It is supported by the timber industry, local municipalities, businesses, service clubs and chambers of commerce. In addition to land purchase, almost \$100,000 has been invested in trail construction and maintenance.

Community Benefits

Flathead County encompasses 5,098 square miles. Approximately 94% of the land mass is National or State Forest Land, Wilderness, Agricultural, and Corporate Timber Land, thus confining development to the remaining 6% of the area. Flathead County (population 91,000) is the second fastest growing county in the state at 22%, putting tremendous development pressure on private forest land. Glacier National Park forms the eastern edge of the county, the Bob Marshall Wilderness Complex the southern edge. Attraction development has greatly increased in recent years contributing to an influx of tourists and tourism based services. Flathead County's population increases by 40% during the months of June through August.

Economic benefits

The Foy's Community Forest Stewardship Plan estimates a total sawlog volume of 599 MBF on the remaining 170 acres and 397 MBF on the already protected 100 acres. As a community forest, education and public access are a higher priority than revenue from sawlog production. Timber harvests will be used to create teaching areas to demonstrate classic prescriptions, to demonstrate the benefits of active forest management and to demonstrate low impact harvest techniques. Once created, the CF steering committee will determine appropriate sustainable yield levels. It is estimated at this time that a conservative harvest level will be 1% per annum. The property has viable harvest road infrastructure. Past harvests on the subject property and within Herron Park were conducted by Plum Creek Timber Company and F. H. Stoltze Land and Lumber Company, supplying saw logs and peelers (for plywood) to local mills. The public recreation component supports numerous local businesses that sell hiking equipment, bicycles and horse supplies. Local hotels and the Kalispell Chamber of Commerce send summer visitors to the area.

Environmental benefits

The entire Birch Creek drainage is contained within Herron Park, the proposed CF and adjacent commercial timber land. The wetlands along lower Birch Creek support one of two populations of Northern Leopard Frogs found in western Montana. It also supports a resident population of Western Toads. Both of these amphibians are identified as a species in greatest need of conservation in Montana's comprehensive fish & wildlife conservation strategy. Birch Creek contributes to groundwater for residential and agriculture water wells, and supports wetlands and springs on nearby private lands that are used by nesting waterfowl. The property supports key critical winter range for deer and elk. These herds provide public hunting opportunities on the adjoining public and private lands.

Benefits from forest-based experiential learning

From Montana Tree Farm's CF support letter: *"Getting our school aged children into the forest to learn about their natural surroundings is becoming increasingly difficult. The "close-in" nature of this project would allow schools to economically justify fieldtrips and facilitate Project Learning Tree and other educational programs in the Kalispell area."*

From Montana Project Learning Tree Steering Committee's CF support letter: *"The Flathead valley is home to 83 current PLT trained educators and facilitators with 41 residing directly in the Kalispell area. Flathead County has over 15,000 youth age 5 - 17 with over 3,300 residing within Kalispell*

- proper (2010 US Census Bureau). Daily we encounter a society that becomes further detached from their natural environment, our youth are no exception. In many cases youth engage in "exploring" through a "virtual natural environment." Educators are increasingly looking for places in the natural world to engage their students through inquiry-based curriculum such as Project Learning Tree. ...The Foy's Community Forest Project will provide a critical "live" forest classroom opportunity and a working laboratory for these youth, their families, educators and ultimately the local community.

This project has already proven its usefulness through earlier acquisitions and broad community support. This is a very unique opportunity in one of the fastest growing regions of Montana and the west. The Montana Project Learning Tree Steering Committee strongly urges you to support Community Forest Program funding for the Foy's Community Forest project."

The 15 miles of hiking trails through five stand types provide excellent student access to a permanent classroom in the forest. The Family Trail has a maximum grade of 5% with a five foot wide tread, allowing teachers to address their students as a group. The Family Trail will be signed as a permanent interpretive trail with assistance from Montana State Extension Forestry and Montana Fish, Wildlife and Parks.

Peterson Elementary School (4 miles) and Kalispell Middle School (5.8 miles) participate in a local, private program (mentored by professional arborists, landscapers, and master gardeners) which plants trees in public places throughout the valley. They have planted hundreds of trees in Herron Park for species diversification and regeneration. In April 2012 they planted 250 trees along Rails to Trails in Smith Valley. They would like to use the CF as a home base for student training and research.

- This approach is consistent with the Montana Statewide Forest Resource Strategy to engage with ongoing efforts to connect people with their natural environments by participating in and promoting programs like Project Learning Tree. (p33, Focus Area 5)

Montana State University Extension Forestry and MT DNRC Forestry will assist with both passive and active learning by developing material to explain the classic prescription cuts, stand types, FireWise management and interpretive signage. For active learning they will work with school groups to evaluate and monitor different tree planting techniques, tree growth rates and study why different plant species thrive in different forest environments.

The largest Future Farmers of America chapter in the state is 7 miles away. They have an active forestry program and consistently rank in national competitions. FFA owns a 17 acre forested track ½ mile away but needs permanent access to a larger and more diverse forest. They will assist in forest planning and management.

"As an advisor and teacher of the Flathead FFA Forestry Team, this purchased acreage would be a valuable teaching tool for our Vocational Agriculture High School. The Flathead FFA Forestry Team will compete at FFA National Convention this coming fall in October. A hands-on curriculum with access to a community forest would benefit students in competition and job skills experience. In addition, collaborating with the Flathead Valley Community College, students could continue their Forestry education at post-secondary levels." Brian Bay, FFA Advisor.

Local DNRC service foresters assist in teaching Natural Resources Conservation and Management classes at Flathead Valley Community College (FVCC), which is 6.7 miles away. From DNRC Forestry's CF support letter; *"wouldn't it be great if they [the students] could have a piece of ground*

where they could actually measure, evaluate, and at times even cut trees? The property acquired through this grant could serve as that site. FVCC is the largest of Montana's three comprehensive two-year public community colleges, enrolling over 4,000 students annually and has experienced a 66 percent growth in enrollment over the last four years. FVCC students can transfer directly to Montana's universities.

Back County Horsemen of America started here in the Flathead Valley. Assistance from Back County Horsemen of the Flathead is invaluable to the Forest Service in maintaining infrastructure and trails in the Bob Marshall Wilderness Complex, the Mission Mountain Wilderness Area and elsewhere in the National Forest. BCH needs the Foy's Community Forest to teach the Forest Service's Chain Saw and Crosscut Saw Training Course. Their training sessions will be used for routine CF maintenance operations, such as clearing trails and removing dangerous snags.

Montana Conservation Corps (MCC) performs trail maintenance and construction on public lands throughout Montana, including Yellowstone and Glacier National Parks. MCC has a standing Memoranda of Understanding with Flathead County to annually train their incoming statewide crew leaders at Foy's CF. This training program is supported by Recreational Trail Program grants awarded to Flathead County by Montana State Parks. The CF offers a low elevation, easy access site for full spectrum training programs. MCC Northern Rockies Supervisor said; *"Because of this forest our crew leaders have significant training and experience prior to deployment."* The training MCC crew leaders get on this property in the pre-season makes them better leaders and makes their crews more effective in serving the public across the state.

From the F. H. Stoltze Land and Lumber Co. support letter: *"As a neighboring landowner, Stoltze strongly favors the promotion of this area both for public recreational purposes and for continuing forestry education. This area has many redeeming values as a working forest to provide an easily accessible instructional location for all ages and groups from Flathead Valley Community College Forestry courses, Project Learning Tree, landowners learning about living in the Wildland/Urban Interface, and general classroom use from K- 12 of our public schools."*

From Senator Max Baucus' support letter: *"As Flathead Valley rapidly grows, it is necessary to teach small acreage land owners the basics of timber management. This project does that and much more. Projects such as the Foy's to Blacktail Trails, will improve the quality of life for residents, support our timber industry, educate our children about our forest and help our economy by attracting new businesses."*

Benefits from serving as replicable models of effective forest stewardship for private landowners
Northwest Montana is a historically timber reliant region and is today still home to a viable timber industry. In the immediate region there are 8 sawmills, 2 post and pole mills, a pulp mill, 2 plywood plants and an MDF plant. However, rapid population growth in Montana has resulted in tremendous pressure to subdivide and develop forest land for residential use.

According to the Montana Statewide Forest Resource Strategy, all of NW Montana is ranked either 4 or 5 out of 5 for Changing Forest Ownership Patterns. *"Montana, like many states across the West, is experiencing massive divestiture of commercial timberlands as well as development of others. Large, contiguous blocks of private forests are at risk for fragmentation and land-use conversion driven by changing population demographics and economic and market forces."*

Fragmentation of working forests mean that those lands are lost to active management with a consequent loss of forest products production, loss of traditional public access and an increase in

- public costs for wildfire, insect and disease control. However, these lands do not have to suffer from lack of management. Many of these new forest owners come from urban backgrounds and have no land management experience, especially woodland management. They want the benefits of living in a forest such as closeness to nature and a healthy environment to raise children. They also want to be safe from wildfires, provide wildlife habitat and they want their forest to be healthy. But, they lack the experience and training necessary to manage for these sometimes conflicting goals and tend to do nothing in fear of doing the wrong thing. This is an education problem that can be addressed.

Montana DNRC has an active Forest Stewardship Program that is made possible through a partnership with USDA Forest Service's State and Private Forestry Program, which provides funding, Montana State University Extension Forestry, which delivers the workshops, and the Montana Forest Stewardship Steering Committee, which provides program management advice to the State Forester. It is the intention of the Foy's CF to work within this existing structure to provide increased and richer teaching opportunities targeted to small acreage owners in the wildland-urban interface. In addition, Foy's CF has been offered management and teaching assistance from Montana Tree Farm and Montana Forest Stewardship Foundation.

MT Tree Farm comments that *"The property is broken with some steeper terrain. Forest type would be dry mixed conifer with younger age class Douglas fir, ponderosa pine and western larch the predominant species. Past timber harvest removed the majority of the mature timber. There are forest health issues, especially mistletoe. This property is similar to many parcels that have been sold and subdivided in the area over the last 10 years. So from a teaching perspective, there is great opportunity to demonstrate management in a forest type similar to what many landowners are working with."*

- For passive learning, a program will be developed based on self guided tours. The tours will be pamphlet based and take individuals along the existing forest trail system to referenced sites. This approach is preferred over kiosks because of the flexibility in messaging as the project grows and matures. Users also comment on how they like the "wild feel" of the area and we don't want to compromise that by sign pollution.

There are five stand types within the CF. The tour will explain the concept of a stand type and describe the attributes of each, with living examples. We will have demonstration cuts that are appropriate for a particular stand type and explain why these prescriptions are appropriate. We will explain that some areas that were heavily infected with mistletoe are transitioning from Douglas Fir to a more traditional and fire resistant Ponderosa Pine Dry Forest type. These self-guided tours will also cover basic forestry topics such as tree species ID and characteristics, understory ID and characteristics, the benefit of small forest openings and thickets, species diversity, down-woody biomass, insects, disease, snags and wildlife habitat.

The Foy's CF is in the Wildland Urban Interface and has been selectively logged, presenting an excellent setting for demonstrating Fire Wise management tools. Most of the forest fragmentation in NW Montana is occurring in the wildland-urban interface and the greatest concern of both public agencies and land owners is wild fires and their associated costs.

The Foy's CF is a working forest which provides an opportunity to conduct demonstration harvests. Small acreage landowners require a different harvest approach than commercial forests. There is a wealth of small forestry machinery that is appropriate for use around homesteads and is capable of low impact harvesting. There are local contractors that specialize in this type of work and would like

an opportunity to conduct these demonstrations. In addition there are opportunities for workshops and demonstrations covering tree planting, deciduous understory management, and wildlife habitat.

Montana Tree Farm comments that *"The need to provide information and examples of how active forest management can assist landowners and community leaders in mitigation of forest fire risk, management of wildlife and maintenance of our watersheds and viewsheds is ongoing. ... This is a unique opportunity to provide a community forest in close proximity to the fastest growing urban area in Montana and to share the benefits of active forest management: Wood, Water, Wildlife and Recreation."*

Recreational benefits such as hiking, hunting and fishing secured through public access

Foy's CF sees heavy recreational use, making it an ideal site for public education beyond forest land owners. Dispersed recreation is the most mature aspect of the project, due primarily to historic use and successes in attracting grants targeting public access. The Conservation Fund parcel is original transcontinental railroad land grant, conveyed to the Northern Pacific Railroad in 1897. The property has never been closed to public access. The parcel serves as the sole public access route to over 7,500 acres of private, industrial forest land that is open to public recreation.

It is also the only public access route to the 160 acre, privately owned Chase Family Forest that has a donated USDA Forest Legacy easement that allows public recreation. With funding from Plum Creek, trails were built on the Chase property in 2007 and an access trail was built across Plum Creek land. If the Conservation Fund property cannot be protected then public access will terminate, diminishing the public value of this FLP asset. Mr. Chase is very interested in having his property used as part of Foy's CF.

A Civilian Conservation Corps trail, built in the 1930's, runs south from Foy's CF. The trail was built as a mule train supply route to a fire lookout on the 47,000 acre Island Unit of the Flathead National Forest. The trail is 15 miles long and traverses commercial timber land owned by Plum Creek and Stoltze Land and Lumber. Both companies are supportive of the project. However, work on this trail segment cannot commence until the Conservation Fund parcel is fully protected from development, assuring perpetual public access.

In 2007 FTBT funded a professionally developed, 15 mile trail plan for the entire 440 acre project area; Herron Park plus the Conservation Fund parcel. The trail plan was publically scoped and approved by Flathead County and Montana State Parks. As land is acquired and transferred to the county, trail is constructed according to the trail plan by Montana Conservation Corps. The resulting trail system is well maintained, safe and sustainable. Care has been taken to route trails to scenic overlooks, by large legacy trees and to avoid sensitive wildlife areas. Since the beginning of trail work user numbers have quadrupled to an annual average of over 120 visitors a day.

Herron Park is the largest county park and the most popular full season park. It is enjoyed by a diverse user base; horses, mountain bikes, walkers, runners, families with children and seniors. The backbone of the trail system is the Family trail, an Americans with Disability Act (ADA) style trail. The horse facilities include a full three day eventing course with two dressage arenas, a stadium jump course, a steeple chase course and a 60 stall barn. All of these facilities were funded and built by volunteers.

Assisting the county in managing recreation are Foy's to Blacktail Trails, Montana Conservation Corps, Flathead Combined Training Association, Hooves and Co., Flathead Fat Tires and Montana State Parks.

Extent and nature of community engagement

This is a mature and successful project for the sole reason that it enjoys strong community support. The first significant milestone was the donation of an FLP easement by the Chase brothers in 2007 that accommodates public access. Mr. Chase lives in Great Falls, his land is managed by local volunteers.

By the close of 2012 one hundred and fifty acres will have been purchased from the Conservation Fund and transferred to Flathead County at a total cost of \$1,090,000. \$574,312 of this came from private sources and has been raised since late 2007. This is an extraordinary sum of money to be raised in such a small community and speaks to how highly the community values this forest. In addition, another \$100,000 has been expended on trail work and maintenance through grants, donations and lots of volunteer hours. On National Trails Day the forest at Herron Park is a very busy place.

Kalispell Rotary Club comments: *"Last year our members joined with youth from the Flathead Youth Home and Montana Academy on National Trails Day to do forestry projects and trail maintenance in the grant area. This year we are committed to helping again and will be providing the lunch for the volunteer workers. ...Montana Rotary has a long history of support for conservation. Our clubs joined with clubs in Canada to propose the formation of Waterton/Glacier International Peace Park in 1932."* Waterton/Glacier, 38 miles away, is the world's first International Peace Park and a UNESCO World Heritage site.

The non-profit Foy's to Blacktail Trails (FTBT) and Montana Conservation Corps each have standing Memoranda of Understanding with Flathead County to assist the county in managing the property and volunteers. These MOU have been in affect since 2007 and have been successful for all parties.

To date FTBT is focused on raising funds to purchase and protect land. Once the land base is protected they will focus on long term maintenance. FTBT recently created and funded an endowment with Flathead Community Foundation specifically to address long term maintenance issues. Flathead County also contributed to this fund. The Flathead County Parks plan calls for and encourages public-private partnerships and collaboration.

Montana State Parks Region 1 Director comments: *"I have interacted with this organization [FTBT] for several years and have found them to be one of the most effective, committed and trustworthy community groups I have every had the pleasure to work with. Montana State Parks (a division of FWP) administers the federal Recreation Trails Grant Program, and FTBT has been a successful applicant on several occasions. This group enjoys strong community support across a broad spectrum of local, state and federal agencies, and more importantly, citizens, user groups and adjacent landowners. They have been extremely successful in maximizing the effectiveness of grant awards through hard work, community fundraising and elbow grease. When other groups approach me about applying for trails grants, I typically point to FTBT as the example they should follow for success."*

The Foy's CF will be owned by Flathead County as part of Herron Park. The park system is managed, in accordance with state law, by a Commission appointed five member Parks Board that meets monthly. The Parks Board, in turn, has appointed a citizens advisory committee to assist with management. The Herron Park advisory committee will form a CF steering committee that will meet annually to review the management plan, to assure the CF is in compliance with the management plan and to recommend specific actions to the Parks Board.

We have operated under a professionally developed and approved Montana Stewardship Management Plan since October 2007. The management plan is currently being updated on the recommended five year cycle and will also be certified by Tree Farm. These certifications meet local NRCS requirements for a forest plan and Tree Farm brings international sustainability certification.

Organizations that have expressed an interest in assisting with CF development and management are Stoltze Land and Lumber, Plum Creek, MSU Extension Forestry, Montana Forest Stewardship Foundation, Montana Tree Farm, Montana DNRC Forestry, Flathead Valley Community College, and Flathead FFA.

Extent to which the community forest contributes to a landscape conservation initiative

Foy's Community Forest is part of the 16,000 square mile transboundary Crown of the Continent Ecosystem, one of the premier mountain ecoregions of the world. The natural processes in the Crown continue to unfold, largely unimpeded by human tinkering. As a result, rare species of fish and wildlife can still be found here, including grizzly bears and gray wolves, lynx and bull trout. Foy's CF will integrate the Crown's message into our teaching system. The message in it's simplest form is that we are living in a pristine, healthy and wild ecosystem, and that we should take great pains not to harm this unique place. This message is readily understood by younger students. It is important that we effectively convey this message to forest owners so they understand that their management practices will have implications beyond the confines of their own forests.

In the State Assessment of Forest Resources, Montana DNRC modeled 78 separate data sets, weighted them according to 11 sub-models, averaged by three national themes to create one, final aggregate "Critical Landscapes" map. The resulting map clearly highlights NW Montana as a high priority for all forest related objectives. NW Montana is also clearly a priority area when assessing the national themes of Conserve Working Forest Lands, Protect Forests From Harm, and Enhance Public Benefits From Trees and Forests. Foy's CF directly addresses the Statewide Resource Strategy for Focus Area 5, encouraging participation and promotion of programs like Project Learning Tree.

Foy's CF works closely with the two dominant, private land trusts in the area, Montana Land Reliance (MLR) and Flathead Land Trust (FLT). MLR holds and monitors the FLP easement on the neighboring Chase Family Forest. FTBT manages public recreation on this property, builds and maintains trails, manages weeds and assists MLR with monitoring. MLR's mission is to partner with landowners to provide permanent protection for private lands that are significant for agricultural production, forest resources, fish and wildlife habitat, and open space. MLR holds a 1,000 acre private agricultural easement across the road to the NE of the project. This ranch is a certified Tree Farm and is the foreground viewshed of the CF.

FLT was a co-applicant with FTBT for \$135,000 in RTP grants awarded by MT State Parks for land purchase in 2012. FLT's board supports the Foy's CF because it fits their mission of protecting working lands and providing open space to the public.

Flathead County operates under a Master Parks Plan and a Master Trails Plan. The Trails Plan was developed with assistance from the National Park Service's Rivers, Trails & Conservation Assistance Program (RTCA). The public was heavily engaged in writing both plans. Together there were 9 workshops and over 400 written surveys/comments. FTBT was the single most mentioned project in both plans, there were no detractors. The survey revealed that 60% want the county to acquire more park land, 71% want to enjoy outdoors/nature, and 88% like to go on nature walks.

Extent of due diligence completed on the project

CFP requires a 50/50 local match. We intend to over-match with at least \$650,000 (62%) in direct land donation and an additional 100 acres for good will.

- a) FTBT will purchase 50 acres, for donation, in 2012 at a cost of approximately \$390,000.
- b) FTBT currently has \$150,000 in cash on hand for additional land purchase and will raise more.
- c) Flathead County would like to extend the Forest Management Plan and CFP deed restriction to the 100 acres previously purchased by FTBT for \$702,000. This inclusion will add a fifth forest stand type.

The property was bridge funded in September 2007 by The Conservation Fund. That purchase was supported by appraisals from both buyer and seller. Phases 1, 2 and 3 are supported by appraisals done for Flathead County.

Likelihood that, unprotected, the property would be converted to nonforest uses

In 2007 the private owner of the property decided to sell. He offered it to FTBT prior to listing it. FTBT arranged for The Conservation Fund to bridge fund the property, thus keeping it off the market and providing an opportunity for a CF. In a post sale note from the seller's real estate agent: *"This is going to be a great deal for the citizens of the Flathead Valley in the years to come. Without your commitment they unwittingly would have been losers, and I hope that someday they realize your contribution. You accomplished what you said you would and I appreciate that. [The seller] would have moved on and I'm glad we didn't have to cross that bridge."* In other words, the seller was quite prepared to list it on the open market.

The property is zoned AG-40 Agricultural that allows 40 acre residential lots and general agricultural uses. AG-40 conditional use permits are broad and include cemeteries, landfills, communications towers and sand/gravel pits. Much of the surrounding land is subdivided down to 5 acre lots so this parcel could conceivably be rezoned for higher density.

Kalispell is the fastest growing city in the state, Flathead County is the second fastest growing county. The state forester identified NW Montana as critical for Changing Forest Ownership Patterns. The property is adjacent to a county park and offers sweeping views of the Swan Range, Flathead Lake and Glacier National Park. A private owner would have exclusive access to over 7,500 acres of commercial timber land. There is no doubt that this parcel would have sold for development if it had not been bridge funded.

This property has been owned by The Conservation Fund longer than any other property in the state. They are anxious to divest of it. In the event that funding falters, a conservation minded buyer will be sought. However, public access will most certainly be lost. FTBT is a volunteer organization with a part time paid administrator. They do not want to own land long term.

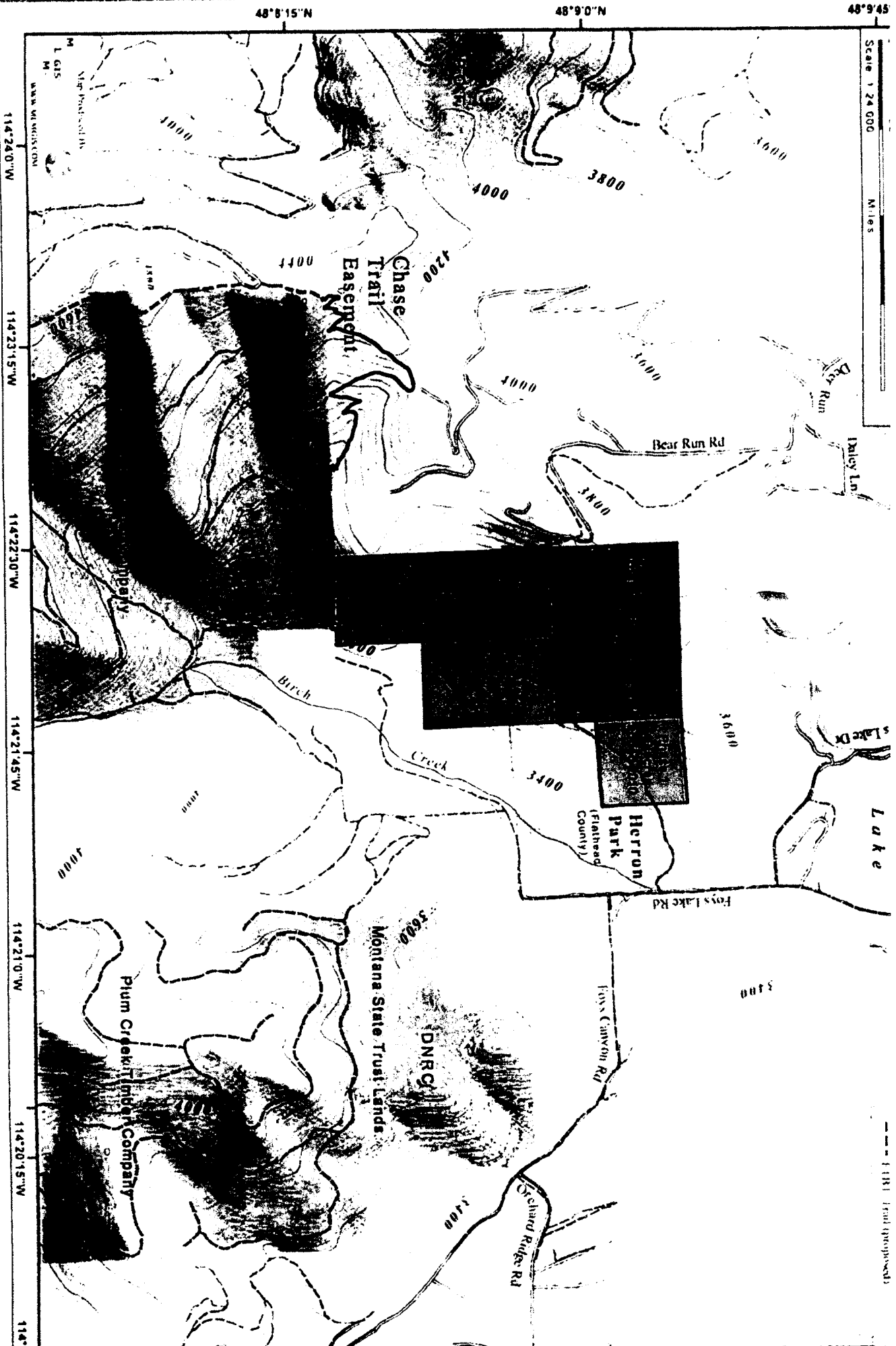
1. Costs to the Federal government

2. Additional considerations

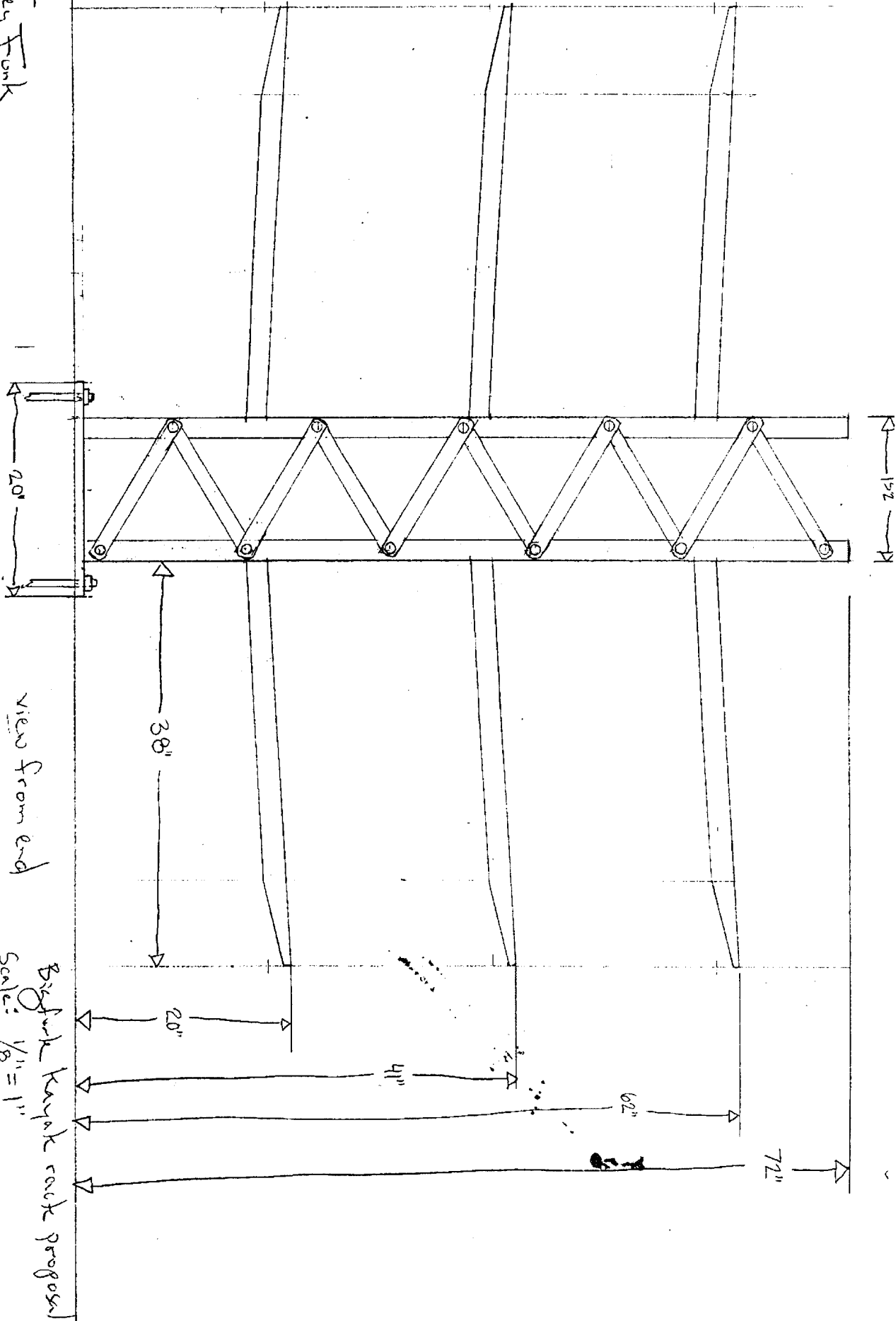
48°9'45"

Scale 1:24,000 Miles

--- 1:181 (road proposed)



2/21/12
Jeffrey Funk



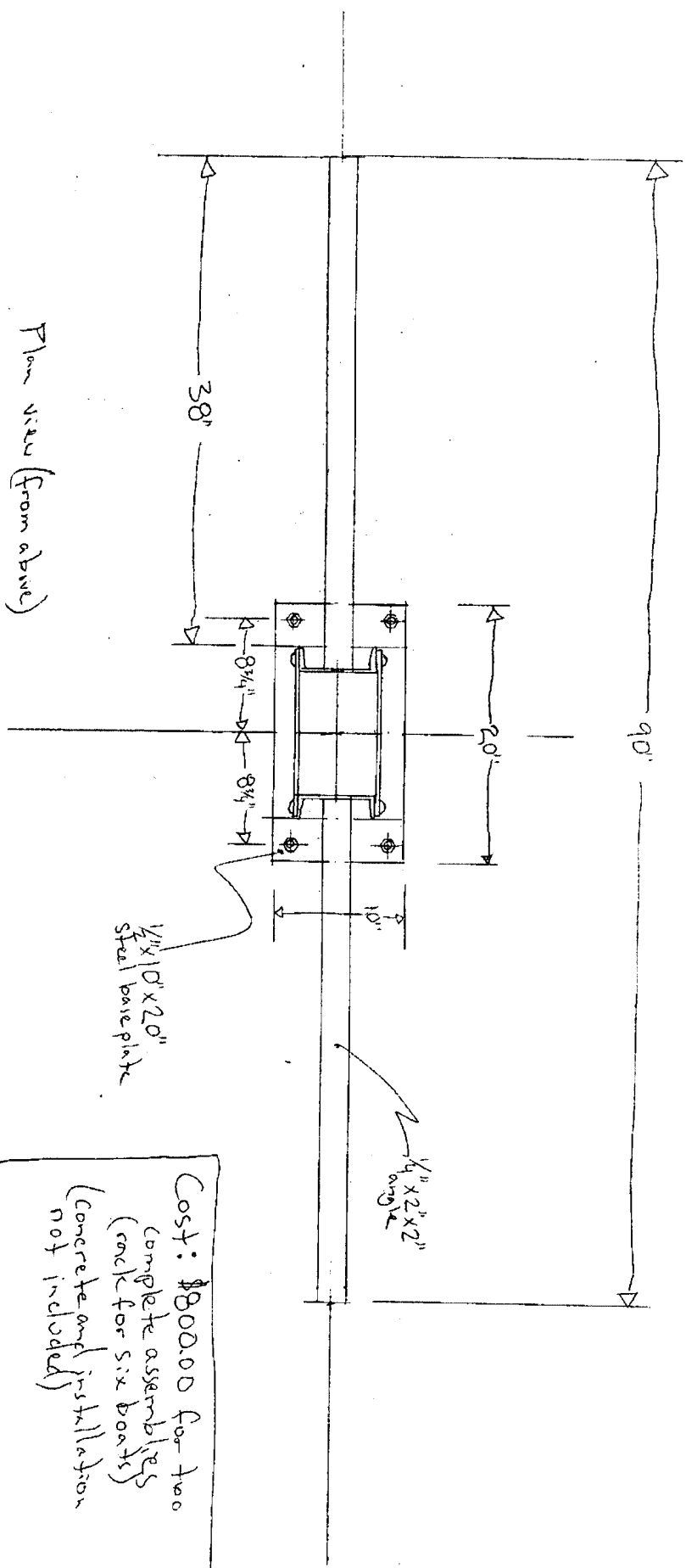
Bigfork City Dock Canoe + Kayak Rack

Plans + proposal by Jeffrey Funk, Metamorphic 112n
Burlington, VT 406-837-4208

Specifications:
Columns → 6" x 1 1/2" laced channel
(salvaged from Kerner Rapids bridge)
Finish → oil based enamel paint
color TBA

Mounting → 1/2" x 10" x 20" plank
four 5/8" anchor bolts
Boat Supports → 1/4" x 2" x 2" angle w/
rubber or wood surface

Page 2 of 2



Cost: \$800.00 for two complete assemblies (each for six boats) (concrete and installation not included)

2/21/12
Jeffrey Funk

Before kayak rack program
Scale: 1/8" = 1"



**THE
COMMUNITY FOUNDATION
FOR A BETTER BIGFORK**

PO BOX 486 · BIGFORK, MT 59911 · 406.837.5089

05-07-12 FCWP&R Board Meeting

Attachment C-2

May 1, 2012

Flathead County Park Commission
Flathead County & Parks and Recreation Department
309 FFA Dr.
Kalispell, MT 59901

Dear Parks Commissioners:

On behalf of the Community Foundation For A Better Bigfork, I write you today in support of the purchase and installation of a locally-built, small boat rack for the Bigfork Bay public docks. This boat rack will help accommodate the orderly storage of canoes and kayaks used by residents and visitors over the summer months.

We understand that you are considering both a locally-built option and a boat rack system built in Florida. We urge you to spend our tax dollars on the locally-built boat rack for the following reasons:

1. The local product is superior in construction and aesthetics: The local craftsman, Jeffrey Funk of Metamorphic Iron Works of Bigfork, has proposed building the boat rack from structurally superior remnants of the historic Kearney Rapids Bridge. The local product would be built of heavier material, would be anchored in concrete, and much less prone to damage over time. In addition, the historic connection to the Kearney Rapid Bridge and the 'bridge work' elements of the construction will make this local-built rack far superior in eye-appeal to the general public.
2. The local product will require less maintenance: While this rack can be painted, we propose to allow the rack to weather naturally. The result will be a natural rusted patina. The rack will last for decades.
3. We feel it is important to keep our local dollars working locally. Mr. Funk is a nationally ranked metal-worker with his craftsmanship in demand around the country. Local tax dollars should be spent, as much as possible, supporting the local businesses.
4. The CFBB will pitch in to help pay for and install the locally-built boat rack. The Bigfork community will commit to raising as much as the total cost as possible to ensure that our choice of local business and local product is chosen.

We appreciate this opportunity to advocate for local business and local products. We look forward to your favorable decision.

Respectfully,

Paul Mutascio, President

FLATHEAD COUNTY WEED MANAGEMENT PLAN

Revised May 2012



Executive Summary

Rangeland, pastureland, cropland, forests, and wild lands comprise 92 million acres, or 98% of the total land area in Montana. These areas are vital for agricultural production and protecting the integrity of ecological systems. Noxious weeds are impacting Montana's land resource and affecting the economic stability of the state. Currently 27 noxious weeds infest about 8.2 million acres in Montana. These non-native species are reducing economic productivity and ecological integrity of Montana's lands and waters.

Financial resources are currently inadequate to effectively manage noxious weeds in Montana. Increased funding to private land managers, county weed districts, federal, and state agencies, and improved efficiency and organization of grassroots efforts are critical to implementing viable weed management programs in the state. It is calculated that approximately \$55.8 million (about 2.6 times the current budget of \$21.2) is needed to implement a balanced weed management program that slows weed spread and reduces current infestations by 5% per year. (The Montana Weed Management Plan Revised May 2008.)

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Oversight: Flathead County

Flathead County Weed/Parks & Recreation

309 FFA Drive, Kalispell, MT 59901

Flathead County Weed/Parks & Recreation Board of Directors

Ray Sanders – Chairman

Kalispell, MT 59901

Board Members

James Buechle

Columbia Falls, MT 59912

Clyde Fisher

Kalispell MT 59901

Elise Robocker

Kalispell, MT 59901

Pete Woll

Somers, MT 59932

Weed District Representative

Jed S. Fisher, lic no 12855-15

Weed District Sprayers

Gordon Jewett, lic no 14889-15

Evan Carter, lic no 100723-15

Steve Drent, lic no 100102-15

Clayton Fischer, lic no 103442-15

Aaron Guzman, lic no 103841-15

Donald Roe, lic no 14892-15

Weed District Mowers

Russ Tindale

Bill Weseman

Terry Zink

Office Staff

Michele Haarr, lic no 103731-15

Haily Meeker, lic no 100424-15

Weed District Education & Compliance Officer

Steve Robinson, lic no 101982-15

Federal Agency Representative

Tris Hoffman

Flathead National Forest

Kalispell, MT 59901

Federal Agency Representative

Steve Shelly

Forest Service R-1

Missoula, MT 59807

Flathead County Board of Commissioners

800 South Main Street, Kalispell, Montana 59901

Chairman

Dale Lauman

Board Member

Pam Holmquist

Board Member

Cal Scott

Information for the Flathead County Weed Management Plan provided by:

The Montana Weed Management Plan, Montana Weed Control Association; Montana State University and University of Montana, Montana Code Annotated, United States Department of Agriculture, and Natural Resources Conservation Service.

Forward

The Flathead County Weed Management Plan identifies current and future challenges posed by noxious weeds and describes the Weed District's function from an operational, educational and enforcement perspective.

Flathead County Weed District is responsible for developing a district-wide noxious weed management plan to assist landowners in complying with the Montana County Noxious Weed Law. The District has taken this challenge seriously. This plan supports state laws governing the control of noxious weeds. The weed district is responsible for management of noxious weeds on all land and rights-of-way owned or controlled by the County municipalities within the District. Currently the District is involved with managing over 4,000 acres. Methods of control used by the Flathead County Weed Department include cultural, chemical and biological methods for controlling noxious weeds.

Demographic Information

Flathead County is the second largest area of any other County in the state of Montana (encompassing 5,098+ square miles) and is also one of the fastest growing. It is bordered on the north by the Canadian International Boundary Line, to the east by the Continental Divide of the Rocky Mountains and Glacier County, to the south by Lake County and to the west by Lincoln County.

Flathead's climate is surprisingly mild. Due to past glacial activity, soils are extremely variable ranging from heavy clays to fine sand with everything in between. Rivers and lakes of the Flathead range from placid water of Ashley Creek to raging whitewater. Microclimates allow the valley to grow a variety of crops, i.e. small grains, alfalfa, mint, potatoes, canola, peas, etc.

There are three incorporated cities in the County – Kalispell, Columbia Falls and Whitefish. Kalispell, the County seat, is located in the heart of the fertile Flathead Valley and is at the head of the largest fresh water lake west of the Mississippi; (Flathead Lake is 27 miles long and has a maximum width of 15 miles). Columbia Falls, known as the "Gateway to Glacier National Park", is only 17 miles from Glacier National Park, which has over 700 miles of maintained hiking trails and 1.4 million acres of beauty. Columbia Falls is also located ten miles from Hungry Horse Dam, the nation's third highest and fourth largest concrete dam. Whitefish is located by the beautiful Whitefish Lake and is also centrally located between three great skiing areas: Whitefish Mountain Resort at Big Mountain - just 7.5 miles from downtown Whitefish, Blacktail ski area in Lakeside and Fernie ski area in British Columbia, Canada. Flathead County's resources are agriculture, timber and water power, livestock, in addition to tourism - Flathead's population increases by 40% during the months of June through August. The Hungry Horse Reservoir supplies hydro-electric power for the states of Montana, Idaho, Washington and Oregon. The lumber industry manufactures lumber, plywood, railroad ties, mining timbers, ready-cut buildings and cordwood. Products are shipped primarily to the Midwest.

Flathead County encompasses 3,262,720 acres or 5,098 square miles. Approximately 94% of the land mass is National or State Forest Land, Wilderness, Agricultural, and Corporate Timber Land, while the remaining 6% of the area is privately owned. Federal lands include Forest or Park Service holdings, i.e., Glacier National Park, Great Bear Wilderness, Bob Marshall Wilderness, Lost Trail National Refuge, and Flathead National Forest. The National Park Service in addition to the five Ranger Districts, (Swan, Spotted Bear, Hungry Horse, Glacier View, and Tally Lake) is involved in management and administration of these lands. These lands cover almost the entire eastern and northern sides of Flathead County. A majority of state lands are located in the Stillwater State Forest northwest of Whitefish Lake, while several small tracts are scattered throughout the County. Corporate Timber Lands are mainly located just north of Whitefish and Columbia Falls and west of Kalispell. The Flathead Indian Reservation

includes about 30,700 acres of southwestern Flathead County. Of this total, only 900 acres are actually Tribal Lands and the remainder is privately owned.

Just over .1% of the County is located within the three incorporated cities of Kalispell, Whitefish, and Columbia Falls. Flathead County's proportion of rural residents constitutes 67% of the entire population due to new growth locating in the County rather than city areas.

Impacts of noxious weeds are both ecological and economic. Water quality and long-term production potential of land can be reduced when tap-rooted species such as spotted and diffuse knapweed invade grasslands. In western Montana, surface runoff was 56% higher and sediment yield was 192% higher on Spotted Knapweed infested sites compared to those dominated by native bunchgrass (Lacey et al 1989).

The introduction of exotic plants influences wildlife by displacing forage species. Spotted Knapweed has been shown to influence foraging behavior and population distribution of elk and deer in western Montana. Elk use increased an average of 266% after knapweed was removed from a winter range site (Thompson 1996).

Small birds and mammals are impacted by noxious weeds. Purple Loosestrife, a weed that infests wetlands, was first reported in Montana in 1980 and by 2004 infested 10 counties in the state. The weed forms dense infestations that reduce desirable plants and habitat for muskrats and long-billed marsh wrens, while leaving waterfowl broods open for predation because of the reduction in access from water to nesting sites (Brown 2005).

Noxious weeds are recognized as serious problems on lands managed for wilderness or wild land values by federal, state and private entities in Montana. Natural areas are degraded and biologically diverse landscapes are impaired.

Economic losses caused by Leafy Spurge and Spotted Knapweed have been calculated for Montana. The cost of Leafy Spurge to grazing lands and wild lands in the upper Great Plains including the states of Montana, North and South Dakota, and Wyoming is estimated at \$129.5 million annually and represents a potential loss of 1,433 jobs (Leitch et al. 1994). Knapweeds in Montana cost an estimated \$42 million annually, money that could support 518 full time jobs in the state. If Spotted Knapweed invaded 34 million vulnerable acres in Montana, loss to the livestock industry alone is estimated at \$155 million (Hirsch and Leitch 1996).

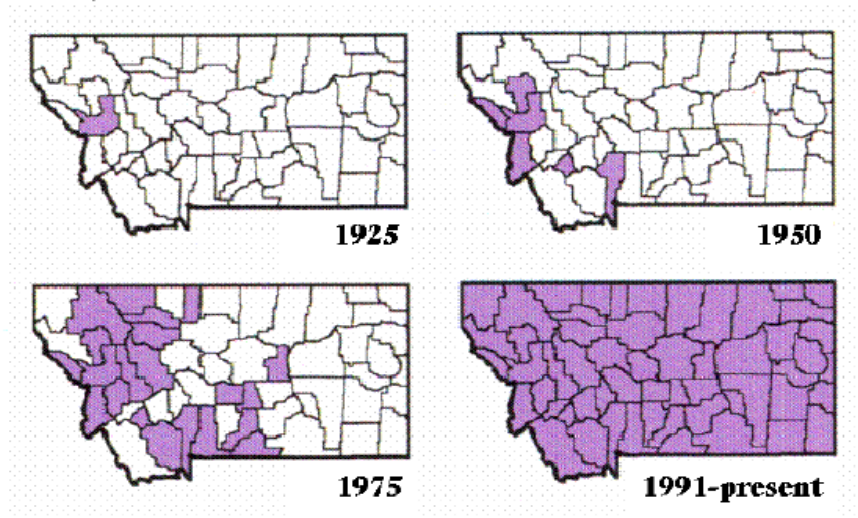
Chapter 1- Introduction

A weed is defined as any plant that interferes with management objectives for a given area of land, or body of water at a given point in time. Noxious weeds, also known as “invasive plants,” “non-native plants,” or “exotics,” are generally highly aggressive and represent one of the most significant threats to native ecosystem’s diversity and sustainability. “Noxious weeds” or “weeds” means any exotic plant species established or that may be introduced in the State that may render land, or body of water, unfit for agriculture, navigation, forestry, livestock, fish or wildlife, public health or other beneficial uses or that may harm native plant communities. This is a legal designation and it is regulated on a State and County basis, depending on how serious the threat is to a particular area and how widespread the weed is already. Montana currently lists 27 noxious weeds, while Flathead County has added certain other weeds as “special management zones”.



The rate of spread and introduction of noxious weeds has increased dramatically over the past 150 years with the increases of human activities, trade, and commerce. For example, spotted knapweed was first recorded in the state in the early 1920’s. Since that time it has spread to about 3.8 million acres in the state. The introduction and spread of spotted knapweed is characteristic of several noxious weeds in Montana (Figure 1).

Figure 1.1: Montana counties reporting infestations of spotted knapweed from 1920 to present. (Invaders database).



Objectives

The magnitude and complexity of noxious weeds in Flathead County requires a comprehensive management plan that can achieve reasonable objectives. Specific programs and objectives foster cooperative weed management efforts and increases awareness.

- 1) Continue contract work with Montana Department of Transportation, Bonneville Power Association, MT Fish Wildlife & Parks, US Fish, Wildlife and Parks, Glacier National Park, City of Kalispell, Department of State Lands and Plum Creek Timber. These contracts and agreements enhance one of our main focuses which is to prevent encroachment of invasive species onto private lands.
- 2) Expand our GPS and mapping capabilities. All spray trucks will record dates, times and area of herbicide applications. Weed species, type of herbicide, quantity sprayed and specific weed data is collected. Additional GPS units are available for mapping and tracking of various infestations that aren't on the rights of way. This data is shared with various federal, state and private agencies to enhance our collective knowledge of new or expanded infestations, herbicide treated sites and biological release sites.
- 3) Support aquatic invasive species education, inspections and containment as budgets allow. The Flathead County Weed District takes full responsibility for aquatic infestations on County owned property that's below the water's surface. Equally, landowners and agencies with property extending into any body of water are responsible for their own control measures and acting as the lead agent in the issuance of contract(s) involving chemical application.
- 4) Continue applying for grant funding for Tansy Ragwort. Due to current economic conditions these funds have been decreasing annually. It is critical we continue to review the use of these funds and apply them appropriately. In the past the Flathead County Weed District has been able to fund most work of this work through grants. Grant funding is critical for the District to continue its efforts on Tansy Ragwort.
- 5) Promote awareness and importance of integrated weed management plans through HOA presentations. Other annual presentations that draw interest and concerned landowners are the North Fork Landowners Association, Lone Pine Visitors Center, FFA, local schools and youth organizations.
- 6) Strengthen weed educational efforts with local gravel pits. Annual inspections ensure compliance and weed management plans are current. We take this opportunity to distribute new weed identification material and offer educational or training assistance.
- 7) Improve contract and weed management oversight with Burlington Northern Railroad. The rail line rights of ways are a prime corridor for weed infestations. Annual treatments need to be more targeted and timely to produce effective results.

MONTANA NOXIOUS WEED LIST

EFFECTIVE: September 2010

PRIORITY 1A

These weeds are not present in Montana. Management criteria will require eradication if detected; education; and prevention.

- Yellow starthistle (*Centaurea solstitialis*)

PRIORITY 1B

These weeds have limited presence in Montana. Management criteria will require eradication or containment and education.

- Dyer's woad (*Isatis tinctoria*)
- Flowering rush (*Butomus umbellatus*)
- Japanese knotweed complex (*Polygonum* spp.)
- Purple loosestrife (*Lythrum* spp.)
- Rush skeletonweed (*Chondrilla juncea*)
- Eurasian watermilfoil (*Myriophyllum spicatum*)
- Scotch broom (*Cytisus scoparius*)
- Curlyleaf pondweed (*Potamogeton crispus*)

PRIORITY 2A

These weeds are common in isolated areas of Montana. Management criteria will require eradication or containment where less abundant. Management shall be prioritized by local weed districts.

- Tansy ragwort (*Senecio jacobaea*)
- Meadow hawkweed complex (*Hieracium* spp.)
- Orange hawkweed (*Hieracium aurantiacum*)
- Tall buttercup (*Ranunculus acris*)
- Perennial pepperweed (*Lepidium latifolium*)
- Yellowflag iris (*Iris pseudacorus*)
- Blueweed (*Echium vulgare*)
- Hoary alyssum (*Berteroa incana*)

PRIORITY 2B

These weeds are abundant and widespread in many counties. Management criteria will require eradication or containment where less abundant. Management shall be prioritized by local weed districts.

- Canada thistle (*Cirsium arvense*)
- Field bindweed (*Convolvulus arvensis*)
- Leafy spurge (*Euphorbia esula*)
- Whitetop (*Cardaria draba*)
- Russian knapweed (*Centaurea repens*)
- Spotted knapweed (*Centaurea stoebe* or *maculosa*)
- Diffuse knapweed (*Centaurea diffusa*)
- Dalmatian toadflax (*Linaria dalmatica*)
- St. Johnswort (*Hypericum perforatum*)
- Sulfur cinquefoil (*Potentilla recta*)
- Common tansy (*Tanacetum vulgare*)
- Oxeye daisy (*Chrysanthemum leucanthemum* or *Leucanthemum vulgare*)
- Houndstongue (*Cynoglossum officinale*)
- Yellow toadflax (*Linaria vulgaris*)
- Saltcedar (*Tamarix* spp.)

MONTANA NOXIOUS WEED LIST, *continued*

EFFECTIVE: September 2010

PRIORITY 3

Regulated Plants: (NOT MONTANA LISTED NOXIOUS WEEDS)

These regulated plants have the potential to have significant negative impacts. The plant may not be intentionally spread or sold other than as a contaminant in agricultural products. The state recommends research, education and prevention to minimize the spread of the regulated plant.

- Cheatgrass (*Bromus tectorum*)
- Hydrilla (*Hydrilla verticillata*)
- Russian olive (*Elaeagnus angustifolia*)

FLATHEAD COUNTY NOXIOUS WEED LIST

EFFECTIVE: September 2010

PRIORITY 1B

These weeds have limited presence in Flathead County, Montana. Management criteria will require eradication or containment and education.

- Flowering rush (*Butomus umbellatus*)

PRIORITY 2A

These weeds are common in isolated areas of Flathead County, Montana. Management criteria will require eradication or containment where less abundant. Management shall be prioritized by local weed districts.

- Baby's breath (*Gypsophila paniculata*)
- Russian thistle (*Salsola tragus*)
- Tumble mustard (*Sisymbrium altissimum*)
- White campion (*Silene latifolia*)

UNWANTED

- Creeping Bellflower (*Campanula rapunculoides*)
- Scentless Chamomile (*Matricaria perforata*)

UNDESIRABLES

- Absinth Wormwood (*Artemisia absinthium*)
- Common Yarrow (*Achillea millefolium*)
- Kochia (*Kochia scoparia*)

Chapter 2 - Flathead County's Current Plan

Flathead County levied its first budget for Noxious Weed Control July 1, 1948. The County Noxious Weed and Rodent Board adopted its first management plan in 1984. A revision was made in 1994. However, in keeping with the criteria of the Montana Weed Management Plan, Flathead County recognizes the need to further revise and re-direct the Flathead County Weed Management Plan biannually to increase effectiveness and strengthen existing goals and objectives.

Improvements and significant upgrades have been made to spray trucks, safety equipment, rental sprayers and education over the years. The department now has state of the art spray trucks and road side mowers. In the past there used to be two applicators per vehicle, one riding on the exterior of the truck spraying without proper protective equipment. A staff of 23 applicators has been reduced to 6 and operational efficiency improves each year. We've recently purchased new rental sprayers, a boat for the inspection of aquatic invasive species, a hydro and drill seeder.

Flathead County's Weed District currently manages approximately 2,700 miles of County rights-of-way and contracts with the Montana Department of Transportation on approximately 1700+ acres of highway/roadway rights-of-way. Roadways are a high risk area for introduction of new weeds to the state. Annual herbicide treatments help prevent the spread of established noxious weeds into non-infested sites.



Flathead County works with the USDA, Flathead National Forest, Department of Natural Resources and State Lands, the private agency used by Burlington Northern/Santa Fe and/or Montana Rail Link, US Fish Wildlife and the Montana Department of Fish, Wildlife and Parks. Most of these agencies have licensed some of their personnel and have submitted quite extensive weed management plans to our department. While the future of the rail systems is uncertain here in Montana, it's necessary to continue inspecting and addressing weed issues on an annual basis.

Controlling and stopping the spread of Tansy Ragwort is a top priority. It's been said the infestation occurred because of the Little Wolf fire in 1994 and out-of-state fire workers may have brought seed with them on their equipment. Flathead County's stance is one of "search and destroy". Since 1997, we've been working diligently with the Flathead National Forest Service, Plum Creek Timber Corporation and adjoining private landowners who have known infestations. Fortunately, Flathead County has been receiving grant funding through the Department of Agriculture, Noxious Weed Trust Fund, to continue these efforts. We believe strongly in an integrated management approach but are adamant about using herbicide as a first line of defense, where appropriate. Riparian areas and those areas that aren't accessible by either vehicle or ATV have and will continue to be treated with biological control. Control measures later in the season and after flowering stage consist of clipping and bagging of seed heads, followed up with an herbicide treatment.

Flathead County has implemented a mandatory weed management plan, by any developer, prior to final plat approval. Our department receives a copy of the proposed development from the planning department and an inspection of the property is conducted. An inspection report is completed by our

Compliance Officer. The inspection report thoroughly details any noxious weeds found on the property and recommended control measures. The developer must then complete a 3-year weed management plan that must be reviewed and approved by our department. This has proven to be a highly effective procedure and made developers accountable until the land is sold and/or changes hands. It's also a valuable educational tool that eventually gets handed off to new landowners and home owner associations. This policy and procedure holds true for anyone planning ground disturbance. This includes new highways or roads and roadside utility installations.

The Flathead County Weed District receives \$3000 annually from the Flathead Conservation district. These funds are allocated to assist the elderly/fixed income and disabled landowners eradicate small infestations of noxious weeds on their property. The program is highly effective and much appreciated by those in need.

Another much appreciated service Flathead County offers to the public is affordable spray equipment. For \$25 a day a landowner can rent a 100 gallon sprayer that loads into the back of a pickup. The sprayers are pre-calibrated and instructions are simple. The rental fees help cover the cost of repairs and new sprayers as needed. Backpack sprayers are also available, \$10 for two days.

Bonneville Power Association and the Flathead County Weed Department have an ongoing MOU that provides weed spraying for any landowner under BPA power lines. BPA is a major cooperative partner and understands their obligation to these landowners for weed control. With written permission from the landowner we perform spring and fall applications as resources and man power are available. Several miles of BPA lines are sprayed each and every year. This is one more example of how the Flathead Weed District is improving and strengthening public relations and educating the public on good land stewardship.

Landowners with weed problems are always welcome to call or visit our office for suggestions, recommendations or educational literature. We staff an Education and Compliance person who will meet with landowners at their convenience and perform onsite weed identification and help create weed management plans. The department currently has roughly 3000 active weed management plans on file. This person also responds to and confirms all weed complaints, gives presentations and conducts proactive drive by inspections throughout Flathead County.

Every year the Flathead County Weed Department purchases a limited amount of various biological control agents for specific weeds. We typically receive agents for Tansy Ragwort, Spotted Knapweed and Leafy Spurge. Some are used on Flathead County property but landowners can call and ask for these agents and we'll distribute them at no cost to the landowner. Due to budget limitations the County receives a limited supply. However, these same agents are available and can be purchased through local companies. We respect and encourage organic farmers and those who want to have an effective integrated management plan.

Quarantine

When a plant is under *quarantine*, it is illegal to propagate, transport, or offer to buy or sell any part of this plant. Those plants with this designation in Flathead County are Scentless Chamomile and Creeping Bellflower along with all other weeds listed above.

Worthless Vegetation

It is still up to the Weed District to promote good land stewardship and to avoid “monocultures” of weeds that will soon become everyone’s problem and accelerate the chances of “noxious” weeds infesting the same area. Weeds identified as “worthless” in certain areas of the County by the department include: **Kochia**, **Absinth Wormwood**, and **Common Yarrow**. Even though some of these are considered native, they can be quite aggressive in certain soils. Certain varieties of thistles can be very unsightly and cause anguish to neighboring landowners.

Montana Weed Laws and Regulations (Summarized from 2008 Montana Weed Management Plan)

The first noxious weed legislation in Montana was passed in 1939. Since that time, additional laws and rules have been enacted to strengthen weed management efforts. The eight laws currently affecting weed management in Montana are summarized below and described in detail in Appendix F.

The Montana State Noxious Weed list is updated as needed and is determined by Rule of the Montana Department of Agriculture (MDA) under the provisions of the Montana County Weed Control Act. Changes or additions are based on advice and recommendations from the Montana Noxious Weed List Advisory Committee. The Committee reviews requests for additions to the list received by the MDA, using established criteria, and makes recommendations to the Director of the MDA. Weeds on federal and regional weed lists are reviewed for inclusion on the Montana state list based on their potential to invade and spread within the state.

Montana Department of Agriculture (MDA) administers a number of laws relating to weed management in the state.

Section 7-22-2151 of the Montana County Weed Control Act requires that any state agency controlling land within a district enter into a written agreement with the board. The agreement must specify mutual responsibilities for integrated noxious weed management on state-owned or state-controlled. The plan must include: a 6-year integrated weed management plan, to be updated biennially; a noxious weeds goals statement; and a specific plan of operations for each biennium, including a budget. Each agency is required to submit a biennial performance report to the Montana Department of Agriculture. These provisions were enacted by the 1995 Montana Legislature, and MDA is currently working with agencies and counties to facilitate implementation. State agencies with weed management responsibilities are: Department of Fish, Wildlife and Parks; Department of Natural Resources and Conservation; Department of Transportation; Department of Corrections; Department of Public Health & Human Services; and the University System.

The Montana Weed Control Act (Title 80, Chapter 7 Part 7) provides for technical assistance, funding of noxious plant management programs, and embargoes. Section 80-7-712 MCA allows the Montana Department of Agriculture to obtain federal funds and disburse funds to local governments authorized to conduct noxious plant management programs. In addition, Section 80-7-720 MCA

provides for the following regarding biological agents for weed control: (1) the department of agriculture is authorized to expend funds for the collection and distribution of biological agents to control leafy spurge and spotted knapweed. The project will reduce energy consumption by reducing the need for repeated chemical application. (2) The department of natural resources and conservation is authorized to administratively transfer funds to the department of agriculture for the project described in subsection (1).

The Montana Noxious Weed Seed-Free Forage Act establishes a state noxious weed seed free forage and mulch certification program used by individuals, agencies, and private corporations on public and private lands. The Montana program supports and complements the regional North American Weed Management Association (NAWMA) Noxious Weed Seed-Free Forage Certification Program. This program provides forage products that are free of regionally-designated noxious weeds seeds or any injurious portions of plants and any propagating parts of plants that are capable of producing new plants.

The Montana Agricultural Seed Act lists prohibited and restricted seed levels that must be maintained in state certified seed. All state noxious weeds are included in this list.

The Montana Commercial Feed Act prohibits noxious weeds in commercial feed.

The Montana Nursery Law allows for inspection, certification, and embargo of all nursery stock for listed pests, including weeds.

The Montana Environmental Policy Act must be addressed by all MDA actions that have potential environmental or socioeconomic impacts.

The Montana Noxious Weed Trust Fund Act is a grant-funding program designed to encourage local cooperative weed management programs, creative research in weed control, including the development of biological control methods, and educational programs. The MDA is responsible for weed supervisor training standards and listing of statewide noxious weeds by rule under the Montana County Weed Control Act. Revenue for the current grants program comes from interest from the \$4.76 million Trust and from the vehicle weed fee of \$1.50 per vehicle. Annual revenue from these two sources varies with current interest rates and averages between \$1.2 and \$1.7 million. In addition to the interest, the Noxious Weed Trust Fund (NWTF) receives \$101,337 annually from the Montana General Fund (these funds were redirected in 2003 from FWP general fund to the Department of Agriculture general fund), and in 2004, a grant of \$100,000 from the Natural Resource Conservation Service. Since 2001, \$830,000 annually has been provided to the NWTF from USDA Cooperative Forestry Assistance to manage weed infestations on Private, tribal and non-federal public lands having at least 10% tree cover.

Chapter 3 - Management

Flathead County recognizes the Montana State Weed Law and is committed to the effective management and eradication of state and county declared noxious weeds. The county assists landowners in understanding their responsibility for controlling noxious weeds. The county continues to upgrade programs to better manage weed challenges on county, state and federal lands.

The cities of Kalispell, Whitefish and Columbia Falls have all adopted their own policies and ordinances based upon state laws. Their active participation and enforcement have made a noticeable difference. There are less phone call complaints and effective channels to funnel non-county related weed issues through.

Highways/Roadway

We've developed a countywide integrated management approach with 7 licensed herbicide applicators that are knowledgeable in weed control, 3 roadside tractors mowing rights-of-way; and reseeding disturbed rights-of-way with native grass species.

Rights-of-way are a high risk area for introduction of new weeds to the state. Fighting the encroachment of established noxious weeds from rights of way onto private property is a yearly process we're fully committed to maintaining. Flathead County has had a great working relationship with MDT and we continue to work with the County Road Department in establishing revegetation sites, as well as herbicide control. All Flathead County gravel pits are sprayed annually. We also maintain the Flathead County Refuse site.



Waterways

Assist private landowners, state and federal agencies in identification and provide information for what the best options may be for them to control various aquatic noxious weed species. Identify any aquatic noxious weeds on county owned land and contain or eradicate if possible. FCWD will use mechanical control measures where appropriate. No herbicide will be applied directly to water. This same policy applies to enforcement cases where weeds are found below the water's surface. Depending on the weed species, location and environment, control measures will be evaluated and implemented on a case by case basis. The FCWD, Weed Board and/or county commissioners will make a collaborative control decision based upon data collected from the site of the infestation and available funding.



Beaver Lake 2011

Grants and outside funding support will dictate what options and abilities the Flathead County Weed District has in the future.

Trails

Trails built for motorized and non-motorized public use are susceptible to noxious weeds. Weed control should be a priority within the city, state and federal agencies with jurisdictional authority for trail construction and maintenance. In some instances grants have been obtained for weed control on certain Montana Fish Wildlife and Parks' trails. Not all trails have been given a maintenance budget.

Weed Law Enforcement

Flathead County strives to help educate landowners on good land stewardship and noxious weed awareness. It's important we convey and communicate a positive government image in a non-threatening manner. Each landowner is uniquely different and opinions often differ regarding weed control. Most landowners are receptive to the law; understand its importance and willingly agree to commit to some form of annual weed control. Landowners are not mandated to use herbicide as a control measure but other measures must be consistently maintained to prevent noxious weeds from propagating, i.e., cutting, hand pulling, cultivating and reseeding prior to flowering stage.

Enforcement of the Montana County Noxious Weed Control Act (7-22-2101 through 7-22-2153), as well as Rules 4.5.201 through 4.5.203 occurs as necessary. Procedures stated in the Montana Code Annotated are conducted when there is a justifiable complaint or a random inspection is conducted and noxious weeds have been personally verified by our staff. Frequently there is an existing property file and weed management plan, in which case a phone call to the landowner and/or the landowner's agent prevents further action. If not, a certified letter along with a **Noxious Weed Education/Compliance Inspection Record** (Appendix B) and an **Invasive Weed Management** (Appendix C) form are mailed to the landowner and/or the landowner's agent explaining the situation and requesting a response within 10 days. Many landowners will call and ask for advice or schedule an appointment with the Education and Compliance Officer, who will meet with the landowner at their convenience and survey the property more closely. Personal weed identification and selective weed management strategies have proven to be highly successful and well received by the public.

If there is no response, two additional certified notices are mailed, according to the Montana Code Annotated. Thereafter, procedures are followed in the court to enter upon a person's land, spray the noxious weeds, and bill the landowner and/or the landowner's agent.

Flathead County will enforce the Montana County Noxious Weed Control Act 7-22-2101 through 7-22-2153, as well as Rules 4.5.201 through 4.5.203 to the best of its fiscal and budgetary ability. The weed law will be strictly followed when entry must be made onto private land to verify a noxious weed sighting or complaint.

Refer to the **Certified Notice – Flathead County Weed District and Non-Compliance Flow Chart** on the following pages.

Certified Notice – Flathead County Weed District

Legal Description: Assessor #

Property Address, City, County: Flathead County, MT

Noxious Weeds Present:

Applicable Montana Code: 7-22-2116; 7-22-2123; 7-22-2124

Date

Name

Address

City, State, Zip

Dear:

It has come to our attention that there are noxious weeds growing on your property at the above address. A **Noxious Weed Education/Compliance Inspection Record** is enclosed for your review. These weeds are a serious concern in Flathead County and specific laws mandate their removal and/or control. This is done to protect and preserve the agricultural, recreational, wildlife habitat and natural areas of the County from the degrading impact of exotic and invasive noxious weeds, which are legally defined as “any exotic plant species that may render land unfit for agriculture, forestry, livestock, wildlife or other beneficial uses, or that may harm native plant communities.”

The presence of these noxious weeds violates State law and it is the landowners’ responsibility to eradicate or manage noxious weeds on their land per MCA, Section 7-22-2116. State law provides 10 days after the mailing of this notice for contact with us, at the address provided at the top of this notice, to address the issue before a determination of Failure to Take Corrective Action is made and the property is subject to Noncompliance Control Measures, as stated below.

Notification of Corrective Action Required Within 10 Days:

- 1) Submit a weed management proposal or request a hearing as specified below. A form is enclosed for your convenience.
- 2) Display a demonstrated effort to manage the infestation on your property. This means to mow, pull and/or make herbicide application in the spring and fall. Be sure to READ AND FOLLOW LABEL DIRECTIONS.


Failure to Take Corrective Action –Noncompliant Landowners Are Subject to Control Measures Pursuant to MCA 7-22-2124:

- 1) The property described above will be treated with appropriate control measures, which may include herbicide application. You will be responsible for the cost of all control measures and associated penalties, which may include costs for labor, material, equipment time and a penalty that is up to 25% of the total cost.
- 2) Invoices need to be paid within thirty (30) days of receipt. Invoices not paid in full within thirty (30) days may be / are subject to a court action to impose a civil fine that may become a lien upon the property.
- 3) Notice of Intent to Seek a Civil Fine.

The landowner has the right to request a hearing to contest the finding of noncompliance, by way of an injunction or stay of the corrective action, in district court within 10 days of receipt of this notice. The board may not institute control measures until the matter is finally resolved, except in the case of an emergency. In that case, the person is liable for costs as provided in subsection (1) of MCA 7-22-2124, only to the extent determined appropriate by the board, commissioners, or court that finally resolves the matter.

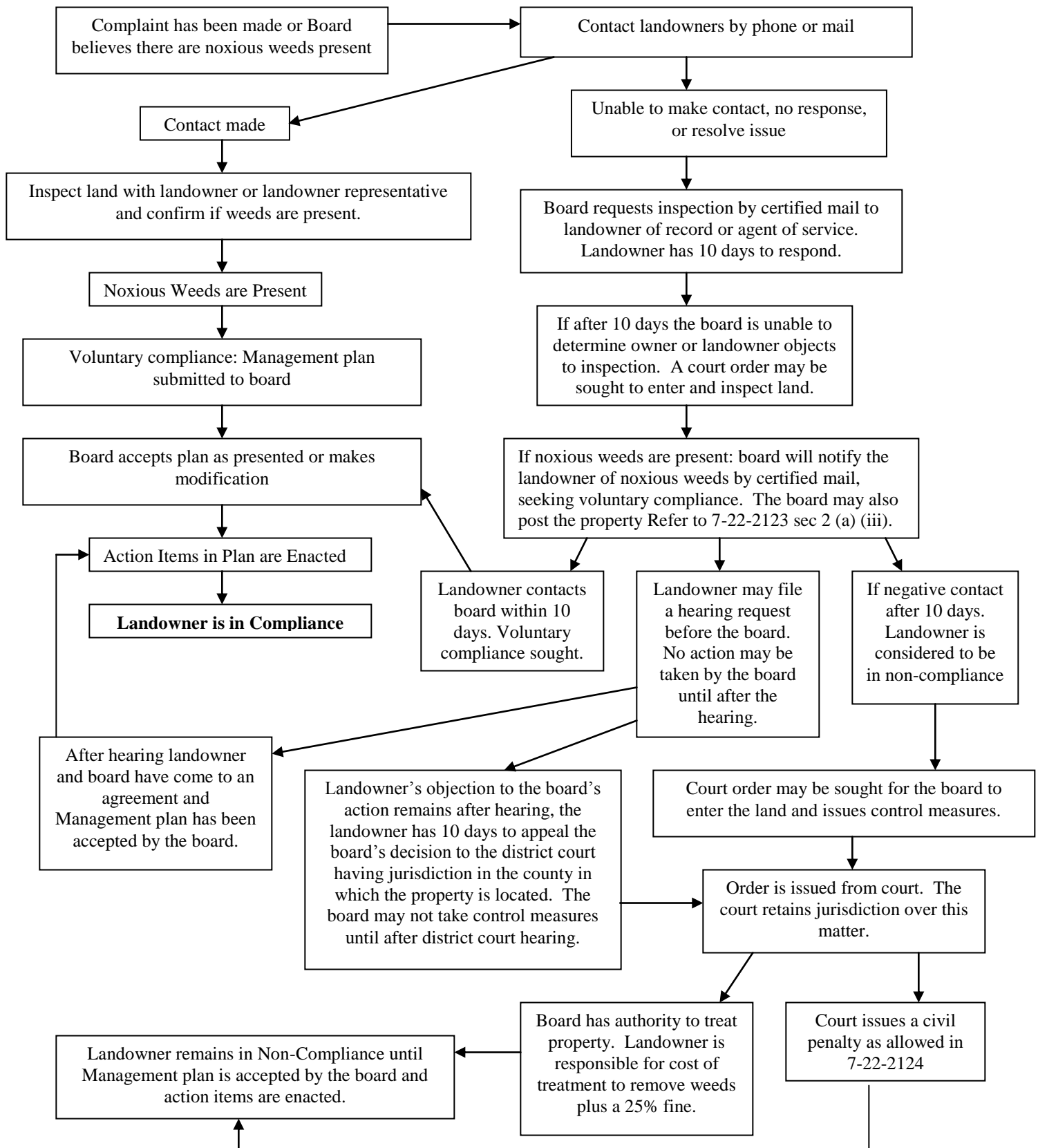
If you need assistance, we are available to help identify and make recommendations for control of these weeds. In addition, we have publications on noxious weeds, as well as rental backpack sprayers and 100 gallon skid mounted sprayers. We look forward to working with you in this effort to eradicate noxious weeds in our county. If you have any questions or comments, or if you are not in fact the landowner of the property in question, please contact me at 406.758.5798.

Sincerely,



Steve Robinson
Education/Compliance

Non-Compliance Flow Chart



Compliance

A person is considered in compliance when an **Invasive Plant Management** form (Appendix C) is completed and submitted by the landowner and/or landowner's agent and approved by the Weed District. The landowner and/or landowner's agent shall demonstrate a good faith effort in implementing control measures within a reasonable amount of time. Definition of "reasonable" shall consider the time of year that the notice has been sent. If notice has been sent during the months from April through September it is reasonable to expect some effort within 10 days of the notice. If a notice is sent in the month of October it is reasonable to expect that an effort will be made the following months of May or June.

Good faith effort is described in the new standard for acceptable weed management practices that was adopted by the Flathead County Weed Board on November 3, 1997 to prevent token efforts at meeting the weed law:

1. Landowners with 20 acres or less will be required to comply with complete control. A typical chemical application on 20 acres would be approximately \$400.
2. Landowners owning more than 20 acres, if unable to manage complete control, shall be required to maintain weed control on one third of the property, rotational each year over a three year period. For instance, a typical chemical application for a 160-acre parcel would cost approximately \$1,200 per year. NOTE: A 60-acre control/satellite buffer plan shall be implemented.
3. If another option is chosen other than chemical, then the landowner will be required to do the following:
 - Landowners with 20 acres or less choosing to use biological control shall be required to release at least 500 insects – keeping (outer) 2/3 of noxious weed infestation from setting seed by mechanical means, creating a satisfactory (according to the Weed Board's opinion) buffer plan.
 - Landowners with more than 20 acres will be required to release (at the minimum) 1,000 insects while keeping outer 1/3 of infestation from setting seed by mechanical means.

The Weed District utilizes all methods of weed management on approximately 2500 miles of county owned rights-of-way. This includes a mowing program, bio control releases, reseeding of disturbed soil, prevention and herbicide applications. Those who choose to use other methods outside of herbicides may complete and submit a **No Spray Agreement** (Appendix E).

This decision to avoid spraying requires a more labor-intensive approach and timeliness is a major factor in reducing further propagation of many noxious weeds. Hand-pulling noxious weeds that are spread by the roots (rhizomatous) such as Canada thistle, Dalmatian, Toadflax, Leafy Spurge, Meadow Hawkweed, Oxeye Daisy, Russian Knapweed and Whitetop disturb soil, thereby allowing viable seeds to germinate. Pulling plants such as Canada thistle encourages them to become more vigorous, spreading quickly. It is important to pick up any root pieces that may break, as root pieces as small as .25 inches long can develop into a new plant and can survive at least 100 days without nutrient replenishment.

Chapter 4 - Restoration and Reclamation

The terms restoration, reclamation and revegetation are often confused, and for the purpose of this document are defined as follows:

Restoration: a return of something to an original or unimpaired condition.

Reclamation: reclaiming of degraded lands to productive or desired use; an attempt to restore some elements of structure and function in an ecosystem.

Revegetation: to cause vegetation to grow again.

Flathead County's highest priorities are areas likely to become re-infested with the same or a new weed species, critical habitat areas or encompass natural features. It's important to consider where restoration has a good chance of success.



Sites are evaluated for the presence and composition of desired species to determine if revegetation is necessary. If there is a moderately healthy component of healthy vegetation remaining on the site, restoration may be achieved through other weed management techniques. These techniques include multi-species grazing, herbicide applications, and/or the integration of techniques applied in a manner that address how plant communities change naturally.

The need for revegetation should be determined before weed treatments occur so seeding can be done soon after the weeds have been removed and before the treated species or other weed species re-colonize the site. Monitoring is required to determine which native species establish well and whether a second seeding is needed.

Flathead County works with the local farm supply stores and the Flathead Conservation District to establish native and other recommended mixes. These mixes are available for commercial and residential projects.

The Weed District works cooperatively with the Flathead County Planning & Zoning Departments for subdivision requests. A Soil Disturbance – Invasive Plant Management form (Appendix D) is completed by the landowner, reviewed by the Weed District and forwarded to Planning and Zoning for their review.

If custom mixes are desired it is recommended that the landowner contact the Flathead Conservation District at 752-4220 or a local ranch supply store.

Native Grass Mixes from the Flathead Conservation District

Lawn Mix

55% Kentucky Bluegrass
25% Perennial Ryegrass
20% Creeping Red Fescue
1 Pound per 300 Sq. Ft.

Econo Mix

40% Perennial Ryegrass
30% Creeping Red Fescue
30% Kent. Bluegrass
1 Pound Per 300 Sq. Ft.

Valley Mix

35% Western Wheatgrass
35% Bluebunch Wheatgrass
15% Slender Wheatgrass
15% Green Needlegrass

Reclamation Mix

40% Streambank Wheatgrass
40% Thickspike Wheatgrass
20% Slender Wheatgrass

Sun & Shade

50% Creeping Red Fescue
20% Perennial Ryegrass
30% Kentucky Bluegrass
1 Pound Per 300 Sq. Ft.

Covermate

60% Turf Type Per Rye
40% Creeping Red Fescue
1 Pound Per 300 Sq. Ft.
20-30 lbs. Per Acre

Forest Mix

35% Western Wheatgrass
35% Bluebunch Wheatgrass
15% Mountain Brome
15% Rough Fescue

NOTE: These general seeding mixes should establish in Flathead County on silt and loamy sites. However, it is recommended that the landowner research the soil type in each revegetation area.

Flathead County Weed Control District Revegetation Policy

In an effort to control noxious weed spread and propagation (7-22-2116), and to control the invasion of new invasive weed species (MCA 7-22-2109), and to promote and enforce noxious weed free lands on both public and private properties, and according to MCA 7-22-2152, the Flathead County Weed Control District adopts the following revegetation policy.

Any COUNTY road right-of-way that is disturbed in any manner must be reseeded by the contractor or the utility company responsible to the satisfaction of the Flathead County Weed Control District.

Certified weed seed free blend of specific grasses that is absent of legumes and broadleaves, (so as not to attract deer), that contains a mixture of 34% Potomac Orchard Grass, 33% Smooth Brome Grass, and 33% Fawn Tall Fescue must be used. Any other type of grass may not be used unless approved by the Flathead County Weed Control District.

Standard rotary seed spreaders, drills or hydro seeders are acceptable means of seed distribution. The rate of reseeded shall be NO LESS than 25 pounds per acre. Seeded areas should then be covered by raking or harrowing in, or covered with certified weed free hydroseed mulch, or certified weed seed free straw.

A 16-16-16 fertilizer must be applied at the rate of 100 pounds per acre during the revegetation process.

Upon request, the Flathead County Weed Control District may require proof of seed application.

If germination does not meet standards set by the Flathead County Weed Control District, the responsible party or entity shall reseed the area in question until the standards of the Department are met.

Reseeding shall occur after completion of project, either between April 15 and June 15, or between October 1 and November 15.

Failure to comply with this policy would result in the Flathead County Weed Control District conducting the revegetation and the responsible party charged supplies, equipment, and labor and penalty following current Department standard charges for such services.

Flathead County Weed/Park Board
Flathead County, Montana

Chapter 5 - Inventory, Monitoring and Evaluation

Inventory

Surveying and mapping provide valuable information in tracking and assessing locations of noxious weeds in Montana. This can serve several purposes: it helps predict high-risk sites for weed invasion, accurately calculate total number of acres infested, prioritize protection of non-infested areas and determine how fast noxious weeds are spreading by comparing inventories over time. This inventory is critical for identifying boundaries of new invading weed species, developing long-term weed management goals and objectives, implementing action plans, evaluating the status of weed management efforts across the county and establishing early detection/rapid response strategies.

It is the goal of the State of Montana to develop statewide section-based weed surveying and mapping. Sharing annual changes of weed infestations statewide will allow for weed coordinators and land managers to facilitate rapid data retrieval and response.

The Flathead County Weed Department has implemented a comprehensive data collection and mapping solution. Spray trucks are equipped with GPS units capable of tracking all data related to the application. The collected data is available to partners and agencies to expand effectiveness of shared resources.

Monitoring

Inventory, monitoring, and evaluation are critical components of a weed management plan. Inventory of existing weed infestations is necessary to identify new invading species, develop long-term management goals and objectives, implement action plans, and evaluate the status of weed management efforts. Monitoring is used to measure effectiveness of various programs over time and compile data to improve management decisions.

Monitoring is necessary to establish baseline data on site condition and record changes in vegetation trends before and after implementing weed management practices. Level of monitoring will vary based on resources and manpower available.

Evaluation

Evaluations help determine if the weed management program accomplishes the objectives of the plan. Flathead County will address the following questions as it pertains to our management methods:

1. Was the weed population adequately suppressed?
2. What was the affect on the targeted weed?
3. Should the treatment be repeated or modified?
4. Was funding and manpower available at the appropriate time and was it adequate?

Weather plays a significant factor in weed control. It could be snowing in Bigfork, sun shining in Kalispell and windy in the canyon. All these factors play a role in the timing and application of management methods. Overall control continues to improve each and every year. It's absolutely necessary for yearly treatments of all roadsides with the continued spread of sand, gravel and growing traffic due to increased population and abundant tourism. Funding thus far has been adequate to meet these needs.

Chapter 6 – Public Outreach, Awareness, Education

The public outreach, awareness and education program is a vital and effective communication tool. We are constantly looking for new ways to raise awareness and educate landowners on the importance of integrated weed management methods.

Since 1999 the Flathead County Weed Department has staffed one to two active education and compliance positions. These are seasonal positions. Responsibilities are to identify all state and county noxious weeds, personally address complaints and work with landowners to eradicate noxious weeds from their property. This person does annual inspections at local nurseries and stores selling seeds and plants. They are required to obtain a government herbicide applicator's license and meet recertification requirements. This has proven to be an excellent public relations position and educational resource.

There are several educational publications available at our main office, 309 FFA Drive, Kalispell. We have weed identification booklets and brochures specific to most state noxious weeds. Need a weed identified? Bring it in to our office. If we can't ID it we'll send it to Montana State University for exact species identification. We have information on how to calibrate your personal sprayer, what herbicide to use on specific weeds and when the most effective application times are.

While the target audience is everyone in Flathead County, the District has broken it into smaller segments so that individual groups' needs and concerns are addressed appropriately.

A. *Federal, State and local officials:* Since public agencies in Flathead County are actively involved in noxious weed control, efforts will be directed towards helping them educate their users about noxious weeds. Several agencies have licensed applicators and join in many of the recertification seminars. Those agencies committed to education are Montana Department of Transportation, Flathead National Forest and the Department of Natural Resources & Conservation (State Lands). Cooperation will continue with statewide efforts in preventing the spread of noxious weeds onto public lands. Activities encourage participation and attendance with the Plant Resource Management Association, Flathead Conservation District's meetings, Flathead County Commissioner's meetings and trade shows. These agencies distribute brochures and fliers, calendars and signs addressing noxious weeds on public lands. Signs are posted at public land accesses, mainly trail heads or water access areas. Specific brochures are designed for outdoor groups and back-country users. Informational packets are mailed to local government leaders. Continued communication with the above noted agencies is a must.

B. *Urban residents and businesses:* These individuals may have noxious weeds in alleys, vacant lots and yards without knowing. Key subgroups include the construction industry, power companies and realtors representing sellers of property that may have noxious weeds. Flathead Electric Cooperative, Montana Power Company, CenturyTel and Bresnan Cable are aware of their responsibilities in weed control and revegetation. We target this group with mass media, brochures, presentations, realtor contacts and Invasive Plant Management Plans and/or Soil Disturbance & Weed Management Plan Forms. We encourage the use of realtor courses provided through the Montana Weed Control Association.

C. *Environmental groups:* Because noxious weeds can destroy natural ecosystems, environmental groups throughout the Flathead need to aid in the battle against noxious weeds. Key emphasis with this group is the effects of noxious weeds on native plants. The following are key groups in Montana: Montana Native Plant Society, Ducks Unlimited, The Elk Foundation, Audubon Society,

Sierra Club and the Canyon Coalition. Several of these have already been educated and have become cooperative partners in the battle against noxious weeds.

D. *Farmers and ranchers:* The very individuals whose livelihood depends on the productivity and ethics of the land may unknowingly contribute to the noxious weed problem. They may bring in contaminated seed, hay or equipment which spread noxious weeds during the course of normal farming or ranching practices. We target these groups with mass media, involvement from the extension service and Flathead Conservation District, brochures and mailings, Farms Fair involvement, licensing and recertification classes. Again, there has been an effort through the Montana Department of Agriculture along with the Montana Weed Control Association in producing radio spots and newspaper articles statewide that are excellent reminders to all groups.

E. *School age children and instructors:* There is an opportunity to reach both teachers and students by providing audio, visual and other classroom material to this group. This includes 4-H, FFA classes, Boy Scouts, high school biology and science classes. Activities in this group include: presentations and mass media efforts.

F. *Timber industry.* There's an ongoing cooperative effort to educate timber companies with respect to weed control and revegetation methods. They are asked to incorporate and utilize an integrated approach to prevent noxious weed spread from logging practices. Spraying roads and cleaning equipment prior to and after leaving logging sites helps tremendously. Plum Creek Timber Company has a weed coordinator in each county. They are responsible for mapping and coordinating weed management efforts on Plum Creek lands. To date they have been receptive to sharing data on infestations and treatment methods that include bio releases. Other local timber companies have become educated and are willing, cooperative partners in this endeavor.

Chapter 7 – Contracts and Educated Staff

Contracts

Once called Memorandums of Understanding, most agencies have some form of weed management plan or contract with us. The District understands many agencies have more land than they can control or contain. These plans attempt to establish affordable, yet well planned, weed management tactics which are complimented by the Weed District in either the form of advice, loaned equipment, and/or annual contracts. Contracts are subject to annual amendments based on budgets/funding, and specific circumstances pertaining to the land under management. These plans are signed off by the respective agency Supervisor or Manager, the Weed District Supervisor and/or the Weed Board Chairman or their representative.

Management plans are developed with all private parties or corporate businesses with land holdings over 5,000 acres within the boundaries of Flathead County. The aforementioned guidelines set for state, federal and county will also be applicable to private holdings over 5,000 acres.

The Flathead County Weed District presently maintains a contract with the Montana Department of Transportation, which includes rights-of-way spraying on approximately 250 miles of state highway. This contract has been ongoing for many years and excellent results can be observed from viewing state highway corridors in Flathead County.

A contract has been developed with the Department of State Lands, (DSL).

We work cooperatively with the Flathead County Road Department on needed revegetation programs. Disturbed county rights-of-way and cut shoulders are reseeded as soon as possible. Although establishment of seed varieties can be difficult, it's important to create a competitive environment which will help prevent noxious weed establishment. A cooperative revegetation program with the Flathead County Road Department and Weed District will continue on an annual basis and ultimately saves the county tax payer on weed control costs in the future. The Weed District has its own hydro seeder and a 6' solid stand seed drill.

The US FWP, MFWP (Montana Fish Wildlife and Parks), United States Forest Service and the Flathead National Forest have their own spray programs. We will continue to assist and support these agencies as needed.

Educated Staff

The existing staff has combined experience of over 125+ years. Each staff member is responsible for a portion of the program yet cross trained to fill in other positions as needed. All applicators and office staff have general weed licenses. New staff is required to obtain restricted/regulatory use licenses within 6 months of active employment. Two applicators have acquired licenses in aquatics. All have developed tremendous knowledge and understanding of integrated weed management techniques. Annual training and educational credits are mandatory to meet applicator license requirements.

The current superintendent is responsible for not only the Weed District but manages the Flathead County Parks, Maintenance and Recreation Departments. The superintendent is a licensed applicator and has over 20 years experience in weed management.

The Assistant Superintendent is a licensed applicator and manages a crew of 6 licensed applicators. His position demands mechanical and law enforcement skills. He's responsible for a large parks staff during the summer months and oversees maintenance at the Conrad Sports Complex.

The office staff is an integral component to the operation and success of the Weed District. They too are required to be licensed applicators. Their responsibilities include general front office/secretarial tasks, accounting, grant writing, payroll, sprayer rental loading and unloading. The front office plays a critical and pivotal support role to all the other departments under the superintendent.

Proper Herbicide Application

The Weed District is committed to herbicide applications being applied according to the product label and federal regulations. For the most part, only general use pesticides are applied by the Flathead County Weed District. One restricted use chemical, Tordon 22K, is utilized for its ability to control certain weeds, at certain times of their growth stage. This herbicide leaves a longer residual and is beneficial in some sites where we are unable to reach but once a year. Other non-restricted use herbicides used by the Weed District are: Curtail, Transline, Hi-Dep, Banvel, 2, 4-D Amine, Roundup and Milestone. Current labels and any supplement labels are carried by all applicators. Labels and MSDS sheets are carried by all applicators and are available from office personnel for public review.

The District takes into account several factors before applying any herbicide. These include soil type, sensitive crops in the area, weather conditions, watersheds, and whether alternative controls would be a better solution. Proper equipment and knowledgeable staff are vital to upholding our commitment to safe, well planned applications.

Flathead County Weed District will not apply any herbicide directly to a water source. If control measures are deemed necessary and appropriate given the circumstances, mechanical and/or other various containment measures will be considered. The District will review and

Flathead County Chemical Sensitivity Register

The Flathead County Weed District understands that it is not appropriate to apply herbicides in all cases. Some private landowners have agreed to manage areas of road rights-of-way by other management methods. The Flathead County Weed District recognizes these areas by having County issued signs and registry in place. This means that we will not apply herbicide if the landowner has filled out the appropriate paperwork and is satisfactorily managing the site. If, in the opinion of the Weed Supervisor, the weeds are not controlled, Flathead County Weed District will control the weeds and bill the undersigned parties the extra cost incurred by Flathead County as a result of the owner's failure to control weeds within the area described.

Chapter 8 – Budget

Department Budget

Object of Expenditure	Actual FY 2010	Budget FY 2011	Actual FY 2012	Preliminary FY 2013	Final FY 2013
Personnel	\$247,485	\$259,441	\$246,872	\$260,356	
Operations	\$405,371	\$319,572	\$370,200	\$335,000	

Department Personnel

NO	FT/PT	TITLE	FTE
1	FT	DEPARTMENT HEAD – PAID 1/3 OUT OF BUDGET	.34
1	FT	ASSISTANT SUPERVISOR – PAID ½ OUT OF BUDGET	.5
1	FT	OFFICE ADMINISTRATOR – PAID 1/3 OUT OF BUDGET	.34
1	FT/PT	OFFICE ASSISTANT – PAID IN COMBINATION WITH PARKS/REC	.16
1	PT	BUILDING MAINTENANCE/WEED WORKER II	.75
1	PT	BUILDING MAINTENANCE/WEED WORKER II	.67
1	PT	EDUCATION/COMPLIANCE – SEASONAL	.80
1	PT	BUILDING MAINTENANCE/WEED WORKER II	.67
1	PT	BUILDING MAINTENANCE/WEED WORKER II	.75
1	PT	BUILDING MAINTENANCE/WEED WORKER II	.50
1	PT	BUILDING MAINTENANCE/WEED WORKER II	.50
1	PT	BUILDING MAINTENANCE/WEED WORKER II	.29
1	PT	BUILDING MAINTENANCE/WEED WORKER II	.29
1	PT	BUILDING MAINTENANCE/WEED WORKER II – (PARKS)	.83
1	PT	BUILDING MAINTENANCE/WEED WORKER II – (PARKS)	.67
		TOTAL	8.06

2013 BUDGET HIGHLIGHTS

Capital Outlay

- \$20,000 New spray truck with sprayer
- \$35,000 Truck Replacement
- \$15,000 Shop Concrete

Flathead County

REVENUE REPORT From Date: 4/1/2012 To Date: 4/30/2012

Fiscal Year: 2011-2012

Account Number	Description	GL Budget	YTD	Balance	Budget Balance	% Bud
2140.000.0246.311010.000	REAL PROPERTY TAXES	(\$425,297.00)	(\$245,966.77)	(\$179,330.23)	(\$179,330.23)	42.17%
2140.000.0246.311012.000	REFUNDED TIF-KALISPELL	\$0.00	(\$1,650.50)	\$1,650.50	\$1,650.50	0.00%
2140.000.0246.311020.000	PERSONAL PROPERTY TAXES	(\$10,000.00)	(\$12,770.67)	\$2,770.67	\$2,770.67	-27.71%
2140.000.0246.311030.000	MV AD VALOREM	(\$800.00)	(\$446.74)	(\$353.26)	(\$353.26)	44.16%
2140.000.0246.312100.000	PEN & INT REAL TAXES	(\$1,800.00)	(\$2,384.42)	\$584.42	\$584.42	-32.47%
2140.000.0246.312200.000	PEN & INT PERS TAXES	(\$250.00)	(\$135.07)	(\$114.93)	(\$114.93)	45.97%
2140.000.0246.335230.000	ST ENTITLEMENT SHARE	(\$28,468.00)	(\$21,350.91)	(\$7,117.09)	(\$7,117.09)	25.00%
2140.000.0246.343360.000	WEED CONTROL CHARGES	(\$150,000.00)	(\$98,276.83)	(\$51,723.17)	(\$51,723.17)	34.48%
2140.000.0246.360000.000	MISC REV	(\$3,000.00)	(\$1,785.72)	(\$1,214.28)	(\$1,214.28)	40.48%
2140.000.0246.371010.000	INVESTMENT EARNINGS/GOVERNMENT	\$0.00	(\$266.74)	\$266.74	\$266.74	0.00%
	DEPT: WEED - 0246	(\$619,615.00)	(\$385,034.37)	(\$234,580.63)	(\$234,580.63)	37.86%
	FUND: WEED - 2140	(\$619,615.00)	(\$385,034.37)	(\$234,580.63)	(\$234,580.63)	37.86%

Printed: 04/06/2012

Flathead County

EXPENDITURE REPORT - WEEDS From Date: 4/1/2012 To Date: 4/30/2012

Fiscal Year: 2011-2012

Account Number	Description	GL Budget	Range To Date	YTD	Balance	Budget Balance	% Bud
2140.000.0246.431100.110	SALARIES	\$233,594.00	\$0.00	\$152,488.35	\$81,105.65	\$81,105.65	34.72 %
2140.000.0246.431100.120	OVERTIME	\$0.00	\$0.00	\$335.61	(\$335.61)	(\$335.61)	0.00%
2140.000.0246.431100.130	ACCUM SICK & VACATION	\$0.00	\$0.00	\$3,864.68	(\$3,864.68)	(\$3,864.68)	0.00%
2140.000.0246.431100.141	UNEMPLOYMENT	\$817.00	\$0.00	\$378.47	\$438.53	\$438.53	53.68 %
2140.000.0246.431100.142	INDUSTRIAL ACCIDENT	\$12,461.00	\$0.00	\$5,687.49	\$6,773.51	\$6,773.51	54.36 %
2140.000.0246.431100.211	OFFICE SUPPLIES	\$4,500.00	\$929.36	\$3,155.57	\$1,344.43	\$1,344.43	29.88 %
2140.000.0246.431100.212	SMALL ITEM EQUIP	\$15,000.00	\$2,681.50	\$9,219.23	\$5,780.77	\$5,780.77	38.54 %
2140.000.0246.431100.220	OPER SUPPLIES	\$0.00	\$0.00	\$14.99	(\$14.99)	(\$14.99)	0.00%
2140.000.0246.431100.221	LAWN CARE	\$5,000.00	\$0.00	\$552.57	\$4,447.43	\$4,447.43	88.95 %
2140.000.0246.431100.222	CHEM/LAB/MEDICAL SUPPLIES	\$90,000.00	\$0.00	\$14,772.94	\$75,227.06	\$75,227.06	83.59 %
2140.000.0246.431100.228	EDUCATIONAL SUPPLIES	\$4,000.00	\$0.00	\$1,295.00	\$2,705.00	\$2,705.00	67.63 %
2140.000.0246.431100.229	OTHER OPERATION SUPPLIES	\$9,000.00	\$0.00	\$1,543.03	\$7,456.97	\$7,456.97	82.86 %
2140.000.0246.431100.230	REPAIR & MAINT SUPPLIES	\$33,000.00	\$1,107.81	\$26,196.67	\$6,803.33	\$6,803.33	20.62 %
2140.000.0246.431100.231	GAS OIL DIESEL	\$30,000.00	\$0.00	\$16,979.75	\$13,020.25	\$13,020.25	43.40 %
2140.000.0246.431100.311	POSTAGE	\$2,000.00	\$0.00	\$1,733.67	\$266.33	\$266.33	13.32 %
2140.000.0246.431100.316	RADIO SERVICES	\$3,000.00	\$0.00	\$895.50	\$2,104.50	\$2,104.50	70.15 %
2140.000.0246.431100.340	UTILITIES	\$5,000.00	\$285.79	\$2,564.82	\$2,435.18	\$2,435.18	48.70 %
2140.000.0246.431100.341	ELECTRIC	\$5,000.00	\$0.00	\$2,182.08	\$2,817.92	\$2,817.92	56.36 %
2140.000.0246.431100.344	GAS-HEATING	\$0.00	\$0.00	\$74.00	(\$74.00)	(\$74.00)	0.00%
2140.000.0246.431100.345	TELEPHONE	\$1,600.00	\$0.00	\$1,522.79	\$77.21	\$77.21	4.83%
2140.000.0246.431100.346	CELL PHONES/WIRELESS	\$1,600.00	\$190.78	\$844.38	\$755.62	\$755.62	47.23 %
2140.000.0246.431100.363	MACHINE REPAIR/MAINTENANCE	\$1,000.00	\$81.45	\$731.45	\$268.55	\$268.55	26.86 %
2140.000.0246.431100.370	TRAVEL	\$2,000.00	\$0.00	\$342.19	\$1,657.81	\$1,657.81	82.89 %
2140.000.0246.431100.377	MEALS/PER DIEM	\$0.00	\$0.00	\$67.98	(\$67.98)	(\$67.98)	0.00%
2140.000.0246.431100.380	TRAINING SERVICES	\$2,500.00	\$0.00	\$1,545.00	\$955.00	\$955.00	38.20 %
2140.000.0246.431100.397	CONTRACTED SERV	\$5,000.00	\$28.55	\$736.05	\$4,263.95	\$4,263.95	85.28 %
2140.000.0246.431100.398	OTHER CONTRACTED SERV	\$20,000.00	\$0.00	\$9,264.00	\$10,736.00	\$10,736.00	53.68 %
2140.000.0246.431100.900	CAPITAL OUTLAY	\$35,000.00	\$0.00	\$31,795.00	\$3,205.00	\$3,205.00	9.16%
2140.000.0246.431100.920	CAPITAL OUTLAY BLDG ACTIVITY: WEED CONTROL - 431100	\$35,000.00 \$556,072.00	\$0.00 \$5,305.24	\$0.00 \$290,783.26	\$35,000.00 \$265,288.74	\$35,000.00 \$265,288.74	100.00 % 47.71 %
2140.000.0246.521000.820	TRANSFER TO ACTIVITY: TRANSFER OUT TO - 521000 DEPT: WEED - 0246 FUND: WEED - 2140	\$61,000.00 \$61,000.00 \$617,072.00 \$617,072.00	\$0.00 \$0.00 \$5,305.24 \$5,305.24	\$0.00 \$0.00 \$290,783.26 \$290,783.26	\$61,000.00 \$61,000.00 \$326,288.74 \$326,288.74	\$61,000.00 \$61,000.00 \$326,288.74 \$326,288.74	100.00 % 100.00 % 52.88 % 52.88 %

Printed: 04/06/2012

County Commission Goals/Department Response

The County Commission has established a set of overarching goals for Flathead County Government. Listed below are the Commission's goals, followed by the methods by which the Flathead County Weed District is striving to fulfill those goals.

Exceptional Customer Service

- Coordinated noxious weed management with federal, state and county agencies
- Assist the public with technical support and equipment if needed
- Answer inquiries in a timely, effective manner
- Encourage agencies and the public to attend board meetings and provide record of minutes
- Manage noxious weeds on Flathead County properties and roads

Be Model for Excellence in Government

- Responsive to the public
- Responsive to the Board of and Commissioners
- Perform all duties in an efficient manner

Improve Communications

- Maintain staff availability to public
- Continue public education, seminar and meetings
- Consider temporary help for peak season needs
- Attend internal meetings with other County departments

To Be Employer of Choice

- Maintain open door policy
- Provide proper tools to complete job
- Provide safe training and support
- Provide safe work environment

Commentary

The Flathead County Weed District is committed to managing all lands from weed degradation. The program, in addition to this explanation of duties, has a complete Weed District Management Plan on file for public review. We take pride in our limited cross-trained staff that is available to assist the Parks & Recreation Department as well as the Building/Facilities Maintenance Department as needed.

Management Challenges

"To be effective in today's world, leaders have to go beyond good intentions, wishes, and excuses and that there isn't enough money. The only way to get out of the trap is through a door labeled results. Leaders need to frame every debate and every decision in terms of results they are trying to achieve – not needs – not wants – not the way it has always been – but results. Framing the discussion this way lets everyone know – both citizens and government insiders – what is most important. It also reinforces a culture of accountability through the public sector."

"Be willing to change everything but your values. If the job of a leader is to 'change things to make them better' everything must be open to question – everything but the organization's values." *The Price of Government* – by David Osborne

Noxious Weed Education/Compliance Inspection Record

6466

Name of Landowner: _____ Date: _____
 Mailing Address: _____ Time: _____
 Physical Address: _____ Phone: _____
 Location of infestation: _____ Assessor #: _____
 Type of area: _____ riparian crop _____ yard/garden _____ wooded _____ pasture
 Estimated acreage/amount of infestation: _____

MONTANA STATE AND COUNTY'S DESIGNATED CATEGORY 1, 2 & 3 NOXIOUS WEEDS

<input type="checkbox"/> Spotted Knapweed <input type="checkbox"/> St. Johnswort <input type="checkbox"/> Orange Hawkweed <input type="checkbox"/> Tansy Ragwort <input type="checkbox"/> Leafy Spurge <input type="checkbox"/> Canada thistle <input type="checkbox"/> Sulfur Cinquefoil <input type="checkbox"/> Purple Loosestrife <input type="checkbox"/> Tall Buttercup <input type="checkbox"/> Dalmatian Toadflax <input type="checkbox"/> Houndstongue	<input type="checkbox"/> Field Bindweed <input type="checkbox"/> Russian Knapweed <input type="checkbox"/> Diffuse Knapweed <input type="checkbox"/> Whitetop <input type="checkbox"/> Common Tansy <input type="checkbox"/> Dyer's Woad <input type="checkbox"/> Rush Skeletonweed <input type="checkbox"/> Common Crupina <input type="checkbox"/> Oxeye Daisy <input type="checkbox"/> Yellow Starthistle <input type="checkbox"/> Perennial Pepperweed	<input type="checkbox"/> Tamarisk (Salt Cedar) <input type="checkbox"/> Yellow Flag Iris <input type="checkbox"/> Common Toadflax <input type="checkbox"/> Eurasian Watermilfoil <input type="checkbox"/> Meadow Hawkweed Complex	<u>COUNTY'S NOXIOUS WEEDS</u> <input type="checkbox"/> Baby's Breath <input type="checkbox"/> Flowering Rush <input type="checkbox"/> Russian Thistle <input type="checkbox"/> Tumble Mustard <input type="checkbox"/> White Campion <u>COUNTY'S UNWANTED</u> <input type="checkbox"/> Creeping Bellflower <input type="checkbox"/> Scentless Chamomile <u>UNDESIRABLES</u> <input type="checkbox"/> Absinth Wormwood <input type="checkbox"/> Common Yarrow <input type="checkbox"/> Kochia
---	--	--	--

Apparent Control Methods:

County Weed Control Suggestions:

Additional notes: _____

Brief sketch of area

(Indicates where weeds are located)

Please see reverse side for further information!

Inspected by: _____

Flathead County Weed/Parks/Recreation & Building Maintenance Department
 309 FFA Drive, Kalispell MT 59901
 (406) 758-5798 FAX (406) 758-5888 or Email: compliance@flathead.mt.gov

SPOTTED KNAPWEED & DIFFUSE KNAPWEED

Redeem	1.5 - 2 quarts
Stinger	11 ounces
Curtail	1.5 - 2 quarts
Dicamba & 2,4-D	1.5 quarts
2,4-D	1 - 2 quarts

Apply when plants begin actively growing in the spring yet prior to blooming; fall regrowth. Other practices: Mowing is ineffective; hand pulling is only effective on small patches and new sites. Where patches have left areas bare – reseed.

LEAFY SPURGE

*Tordon 22K + 2,4-D	1 pint + 1 quart
2,4-D, or Roundup, or Hi-Dep	1 - 2 quarts

Apply in spring, full flower, fall regrowth. Other practices: Hand pulling or cutting is ineffective; however grazing animals can be effective in containment of the spurge if done properly.

CANADA THISTLE

Redeem	1.5 quarts
Stinger	11 ounces
Curtail	1.5 to 2 quarts
Dicamba or 2,4-D	1 - 2 quarts

In gardens? Roundup Apply after emergence up to budding; fall regrowth. Other practices: Mowing can be moderately effective if done properly and before seed sets. Grazing can help prevent seed production. Reseeding areas left bare should take place.

ORANGE HAWKWEED AND MEADOW HAWKWEED

Redeem	1.5 quarts
Curtail	1.5 - 2 quarts
2,4-D Amine	1 quart
Dicamba & 2,4-D	1 pint + 1 quart
*Tordon 22K	1 pint

Apply in the Spring, spring to bolt. Other practices: it has been helpful to fertilize area with a nitrogen rich fertilizer two weeks or so after herbicide application. Mowing is ineffective; hand pulling is only effective on small areas. Cultivation may cause spread.

ST. JOHNSWORT

*Tordon 22K & 2,4-D	1 pint + 1 quart
2,4-D (will help prevent seed production)	1 - 2 quarts

Apply at early bud. Other practices: biological control can be effective but cyclical, the plant is POISONOUS; mowing is ineffective.

SULFUR CINQUEFOIL

*Tordon 22K	1 pint to 1 quart
*Tordon & 2,4-D	1 pint + 1 quart
Dicamba & 2,4-D	1 pint + 1 quart
Cimarron	½ oz + surfactant

Apply bolt to early bud. Other practices: mowing is ineffective; hand pulling is only effective in very small patches; reseeding areas left bare is essential.

FIELD BINDWEED

*Tordon 22K	1 pint
*Tordon 22K & 2,4-D	1 pint + 1 quart
Dicamba or 2,4-D	1 - 2 quarts

Target weed when weed is actively growing and in full bloom; fall regrowth. Other practices: mowing is ineffective (can cause spread); hand pulling can be done in small patches but be sure to collect any plant pieces and dispose of properly.

COMMON YARROW

Dicamba /Curtail /2,4-D/Cimarron

COMMON TANSY

Dicamba & 2,4-D	1 pint + 1 quart
Cimarron	5 ounce
Curtail	1.5 quart
*Tordon 22K	1 pint

Apply spring; fall. Other practices: mowing before using herbicide is effective; this plant is POISONOUS!

OXEYE DAISY

2,4-D (moderately resistant) (Apply at high end of label rate)
Redeem (1.5 to 2 pts/acre) Curtail (2 to 3 qts/acre). Apply to actively growing plants. Other practices: mowing can reduce seeds but will not control the plant, mowing should be repeated; reseed areas left bare; sheep/goats can reduce seed production. Applying fertilizer at 80lbs of nitrogen/acre can be effective. Cultivation regularly can be effective.

HOUNDSTONGUE

2,4-D Dicamba & 2,4-D *Tordon 22K Ally
Herbicides are most effective on first year rosette. Apply in spring before flowering (2,4-D); Spring, summer and fall (Tordon); Mid-June (Ally)
Other practices: mowing can reduce seeds but will not control the plant; mowing should take place after grasses have reached their optimal growth. Severing the root crown 1-2 inches below the soil surface with a spade and removing top-growth can be effective in controlling small infestations. If plant has produced flowers, physically remove plant and dispose of in a plastic bag. POISONOUS TO CATTLE AND HORSES

WORMWOOD

Curtail (2qts/acre) 2,4-D + Dicamba (1.5qts and 1.5pts/acre)
*Tordon 22K (1pt/acre) Glyphosate (Roundup) (reseed)
These herbicides should be applied when the plant is at least 12 inches tall and actively growing. When applied from late June until mid August expect better residual control the following growing season than either spring or fall treatments. The plants should be mowed in early to mid summer to promote active regrowth prior to a fall treatment.

SCENTLESS CHAMOMILE

*Tordon 22K Dicamba & 2,4-D
Other practices: Prevent introducing this weed into new areas. Confine the weed. Mowing or swathing can be used. Be sure to cut the weed before it flowers since viable seeds can form in flowers, even after cutting! The plants may produce new shoots and flower again, making it necessary to re-cut the plants. Hand pulling can also be done in small patches, but be sure to collect the weeds in a garbage bag and then burn them, or tie the bag and place in the garbage. This plant is a prolific seed producer and it's seeds can lay dormant for 15 years.

TANSY RAGWORT

Stinger	11 ounces
Redeem	1.5 quart
2,4-D	1 - 2 quarts
*Tordon 22K	1 pint

Apply in Spring to bolt; fall regrowth. Other practices: this plant is POISONOUS! Mowing is ineffective; reseeding areas left bare is imperative.

COMMON/YELLOW TOADFLAX

2,4-D Amine / Dicamba or Cimarron / Hi-Dep/ Curtail
Other practices: mowing is ineffective; hand pulling in small patches can be effective; collect plant parts and dispose of properly. Monitoring should be conducted in early June when toadflax plants have formed buds and are beginning to flower. Any management program should also be conducted during the month of June. This is when root carbohydrate reserves are at their lowest, which makes it more difficult for the root system to recover. Follow-up work in late June or early July is recommended to locate and remove any late-flowering plants.

The application rates suggested are only suggestions. You must read and follow individual label directions. Before getting started a person should consider area of application, timing and land use information carefully. Garden area applications will be different from pasture/non-crop areas, lawn or ornamental turf, as well as watershed areas have special considerations and not all of the above herbicides can be used. Reseeding should occur in all bare areas.

Bolt: the rapid growth of a plant just prior to the production of flowers. Rosette: a circular cluster of weeds growing close to the ground; the first growth stage of a biennial weed. *Tordon 22K is a restricted use herbicide – requiring a license to buy it or apply it.

ALWAYS READ AND FOLLOW LABEL DIRECTIONS – THE LABEL IS THE LAW**ATTENTION:**

It has been noted that you have noxious weeds growing on property at this location. It is a violation of State Law to allow noxious weeds to propagate or go to seed unless efforts are in evidence to manage them. Please contact us for further information at (406) 758-5798.

Invasive Plant Management

Landowner's Name (PLEASE PRINT) _____

Phone/Cell _____ Email _____

Address Weeds _____

of acres _____

Address Mail _____

1. Noxious weeds on property – see Inspection Record _____

2. Water sources nearby - lake, pond, river, creek, high well _____

3. Low or high water table? _____

4. Sensitive vegetation nearby - gardens, alfalfa, mint, orchard _____

5. Type of soil - sandy, clay, rocky, etc _____

6. Methods of weed control/management will be incorporated.

Landscaping _____ Mowing _____

Hand Pulling _____ Cultivation _____

Revegetation/Reseeding _____ Grazing – Sheep/Goats _____

Biocontrol insects/fungi _____

List of herbicides to be used. BE SURE TO READ AND FOLLOW LABEL DIRECTIONS. _____

If you are hiring a contractor, list name/phone/promised date of completion. _____

7. YEAR ONE	Annual work to begin Month	Year
8. YEAR TWO	Annual work to begin Month	Year
9. YEAR THREE	Annual work to begin Month	Year

10. Additional comments: _____

NOTE: If property is over 50% infested it is strongly recommended to follow up with reseeding. Herbicide application is recommended late May to early June and in the fall after the 1st hard frost. Cutting is recommended after flowering stage.

I hereby agree to comply with this plan as stated.

Landowner's Signature: _____ Date: _____

Return completed plan to: FCWD - 309 FFA Dr, Kalispell MT 59901.

Approved () or Disapproved () Flathead County Weed Board

Comments or amendments to the submitted plan as reviewed by the Flathead County Weed Board:

Signature of Board Representative _____ Date _____

Agreed: Landowner's Signature _____ Date _____

Soil Disturbance - Invasive Plant Management

Disturbed Areas, Subdivisions, Industrial Parks, Gravel Pits and/or Utility Installations

Instructions: Complete before disturbance begins and submit to the above address a minimum of two weeks prior to review deadline with Planning Board and/or Commissioners. A copy will be returned to you after it is reviewed in this office.

Subdivision/Project Name _____

Physical Location _____

Acres and # of Lots _____

Landowner's Name (PLEASE PRINT) _____

Mailing Address _____

City, State, Zip _____

Phone/Cell _____ Fax _____

Email _____

Contact Name (PLEASE PRINT) _____

Mailing Address _____

City, State, Zip _____

Phone/Cell _____ Fax _____

Email _____

Knowledge of the property's terrain, water table and soil type will aid in evaluation of methods needed for weed control. A perfect time for herbicide application is when weeds are young and actively growing but difficult to see. A reference map or drawing of weed locations is ideal to have on hand.

Indicate noxious weeds present. _____

Disturbance cause:

____ Subdivision _____ Road Installation _____ Utility Installation
____ Mining/Gravel _____ Ripping/Scraping _____ Excess Topsoil Stockpile
____ Other (please describe) _____

Describe plans to reseed areas where original vegetation has been damaged, disturbed or removed, including phone, gas or power line burials, or power poles.

____ Site Preparation _____
____ Seed Varieties and Rates _____
____ Time of Seeding _____
____ Method of Seeding _____

Weed management methods:

___ Biocontrol Insects/Fungi ___ Herbicides **list names below*

___ Cultivate ___ Landscape

___ Graze, Sheep/Goats ___ Mow

___ Hand Pull ___ Revegetation/Reseed

Herbicides (list) _____

YEAR ONE Annual work to begin Month _____ Year _____

YEAR TWO Annual work to begin Month _____ Year _____

YEAR THREE Annual work to begin Month _____ Year _____

Additional comments: _____

Other methods of weed management for disturbed area, subdivision, industrial park, gravel pit and/or utility installation:

___ Contract, conditions, covenants of subdivision sale to include weed treatment

___ Contractor required to maintain site weed free for a specified period of time

___ Develop road maintenance plan including weed control

___ Landscape

___ Monitor site to ensure new weeds are promptly eradicated

___ Reuse or remove excess topsoil

___ Wash equipment used in infested areas

Assignment of responsibility:

___ Landowner (until all properties are sold)

___ Codes, Covenants & Restrictions

___ Commercial Applicator – Company Name/Contact/Phone _____

___ Homeowner's Association – Contact/Phone _____

I hereby agree to the plan as stated.

Landowner's Signature: _____ Date: _____

Approved () or Disapproved () Flathead County Weed Board

Comments or amendments to the submitted plan as reviewed by the Flathead County Weed Board:

Signature of Board Representative _____ Date _____

Agreed: Landowner's Signature _____ Date _____

FLATHEAD COUNTY WEED DISTRICT NO SPRAY AGREEMENT

I/we the undersigned owner/s of the property described in this Agreement realize and acknowledge that Flathead County has the obligation to control noxious weeds within the confines of Flathead County. I/we agree to control all noxious weeds in the area described below in exchange for the privilege of posting "No Spray" signs along the road right-of-way. The Flathead County Weed Control Board agrees not to spray chemicals for the purpose of providing weed control in the described area below so long as the undersigned owner/s properly control the weeds in the posted area described below.

If in the opinion of the weed supervisor, the weeds are not controlled, Flathead County Weed Control Board will control the weeds and bill the undersigned parties the extra cost incurred by Flathead County as a result of the owner's failure to control weeds within the area described below. I/we the owner/s agree to pay such extra costs incurred by Flathead County Weed Control Board if, in the opinion of the weed supervisor, it is necessary for Flathead County to control noxious weeds within the area that I/we have posted, which is described below.

Owner's Name *(Please Print)* _____

Legal Description of Property S _____ T _____ R _____

Property Address _____

City _____ **Phone** _____

Mailing Address _____

City _____ **State** _____ **Zip** _____

Noxious Weeds Present _____

Alternate Weed Control Method _____

Dated this _____ **day of** _____, **20** _____.

Owner

Owner

Approved By

Date

Flathead County Weed/Park Board By-Laws

Article I - Name

On April 28, 1997, the Board of Commissioners of Flathead County, Montana, adopted Resolution 1214 B which consolidated the Board of Park Commissioners and the District Weed Board into one board known as the Weed/Park Board (hereinafter referred to as "the Board").

Article II - Board of Directors

1. The Board shall be composed of five members, appointed by and serving at the pleasure of the Flathead County Board of Commissioners.
2. The members of the Board shall be residents of Flathead County.
3. The members of the Board shall serve for terms of three years, commencing on January 1 and ending on December 31. Terms of the members shall overlap.
4. The members of the Board shall receive no salary for their service on the Board; however, members may receive mileage for travel to and from meetings of the Board and may receive mileage and per diem, in accordance with Flathead County personnel policy, for travel outside of Flathead County on business of the Board.
5. A member of the Board may be removed by a majority vote of the Flathead County Board of Commissioners.
6. The Board shall abide by the Flathead County Personnel Policies and Procedures Manual as adopted by the Flathead County Board of Commissioners.

Article III - Officers and Meetings

1. A majority of the members of the Board constitutes a quorum for the purpose of conducting business and exercising powers and responsibilities; action may be taken by a majority of members present and voting.
2. The Board shall organize by electing one of its members to be president and one of its members to be vice-president. Officers shall serve a term of one year.
3. The president shall preside over all the meetings and shall be the official spokesperson for the Board, and the vice-president shall carry out the president's duties in the president's absence.
4. The Board shall provide by rule for the date, time and place of regularly scheduled meetings and file the information with the Flathead County Board of Commissioners.
5. Special meetings may be held at any time when called for by the president or a majority of Board members with at least two days notice to Board members and the public.
6. The Board shall provide for the keeping of written minutes of its meetings, which minutes shall include the final vote on all actions and the vote of each member.
7. Agendas shall be provided at least two days in advance of meetings and shall be available on the Flathead County website.
8. Meetings shall operate under Robert's Rules of Order and shall be open to the public.

Article IV - Committees

1. The Board may appoint standing and ad hoc committees as needed.
2. The volunteers of these committees shall work to accomplish the goals of the Board and are normally formed under the Board's guidance.

3. These committees shall make recommendations to the Board of Directors for their regions.
4. These committees shall abide by all requirements involving public meeting laws, including giving at least two days notice of the time, place, and agenda of meetings.

Article V - Power and Duties

1. The Board is responsible for the administration of the Weed Department and the Parks and Recreation Department.
2. The Board shall have the following powers and duties:
 - a. Present separate proposed budgets to the Flathead County Board of Commissioners each fiscal year to separately fund the Noxious Weed Program and the Parks and Recreation Program, as provided by statute;
 - b. Shall not expend any funds not budgeted by the Flathead County Board of County Commissioners in the separate final budgets adopted by the Flathead County Board of County Commissioners;
 - c. Employ a supervisor/superintendent who shall attend each regular meeting of the Board and report, either in writing or orally as the Board may require, as to the activities, functions, and progress of whatever nature pertaining to the weed plan and the park land and facilities over which he has supervision, and to fix the compensation for that position within the salary plan adopted by the Flathead County Board of Commissioners;
 - d. Employ and discharge workman, laborers, engineers, foresters, and other employees as necessary, and to fix their compensation within the salary plan adopted by the Flathead County Board of Commissioners;
 - e. Purchase chemicals, materials, and equipment and pay other operational costs as it determines necessary for implementing an effective weed management program - the costs of which must be paid from the Noxious Weed Fund;
 - f. Determine what chemicals, materials, or equipment may be made available to persons controlling weeds on their own land — the cost for the chemicals, materials, or equipment must be paid by the person controlling the weeds;
 - g. Enter into agreements with the Montana Department of Agriculture for the control and eradication of any new exotic plant species not previously established in the state which may render land unfit for agriculture, forestry, livestock, wildlife, or other beneficial use if the plant species spreads or threatens to spread into the state;
 - h. Perform other activities related to weed management;
 - i. Receive gifts, grants or donations with the purpose of advancing its program;
 - j. Acquire by gift, grant, purchase, lease, or condemnation lands or facilities within or without the limits of corporate municipalities for parks, playgrounds, recreation areas, swimming pools, athletic fields, skating rinks, museums, zoos, golf courses, camps, multipurpose buildings for civic centers, fieldhouses, gymnasiums, youth centers, libraries, reading and meeting rooms, or combinations thereof;
 - k. Furnish, equip and manage and control the same, including establishment by resolution of reasonable and uniform charges for the privilege of using the same;

- l. Lay out, establish, improve and maintain grounds, parkways, drives and walks in the parks and recreation areas of the county, make plats thereof and file the same in the office of the county clerk, and determine when and what parks and recreation areas shall be opened to the public;
- m. Pay all obligations authorized to be incurred by law;
- n. Authorize the sale, lease or exchange of property and assets pursuant to the requirements in Section 7-162324, MCA;
- o. Make all contracts necessary and convenient, pursuant to the requirements in Sections 7-16-2325(2) and (3), MCA, for carrying out any of the powers conferred and duties enjoined upon the Board by Title 7, Chapter 16, Part 23, MCA;
- p. Exercise all other powers incident to the duties enjoined by the provisions of Title 7, Chapter 16, Part 23, MCA; and
- q. Call upon the county attorney for legal advice and services as the Board may require.

Article VI — Amendments

Amendments to these bylaws may be recommended at any regular or special meeting by a 2/3 majority vote in person of the Board of Directors. Proposed amendments must be submitted to the clerk to be sent out with regular Board announcements — subject to approval of the Flathead County Board of Commissioners. The Board, however, shall not have the power to pass any bylaws which would alter the status of the Board.

Approved September 26, 2011.

Board of County Commissioners, James Dupont
Weed/Park Board, Ray Sanders, Chair
Clerk, Diana Kile

Montana Code Annotated 2011

7-22-2116. Unlawful to permit noxious weeds to propagate -- notice required in sale.

- (1) It is unlawful for any person to permit any noxious weed to propagate or go to seed on the person's land, except that any person who adheres to the noxious weed management program of the person's weed management district or who has entered into and is in compliance with a noxious weed management agreement is considered to be in compliance with this section.
- (2) When property is offered for sale, the person who owns the property shall notify the owner's agent and the purchaser of:
- (a) the existence of noxious weed infestations on the property offered for sale; and
 - (b) the existence of a noxious weed management program or a noxious weed management agreement as provided in subsection (1).

History: En. Sec. 2, Ch. 195, L. 1939; amd. Sec. 1, Ch. 11, L. 1961; R.C.M. 1947, 16-1706; amd. Sec. 7, Ch. 607, L. 1985; Sec. [7-22-2107](#), MCA 1983; redes. [7-22-2116](#) by Code Commissioner, 1985; amd. Sec. 8, Ch. 407, L. 2001; amd. Sec. 1, Ch. 313, L. 2007; amd. Sec. 4, Ch. 244, L. 2011.

Provided by Montana Legislative Services

Montana Code Annotated 2011

7-22-2123. Procedure in case of noncompliance -- notice.

- (1) (a) Whenever a complaint has been made or the board has reason to believe that noxious weeds described in this part are present upon a landowner's land within the district, the board shall attempt informal resolution of the complaint or alleged presence of noxious weeds by notifying the landowner by mail or telephone. If the situation is not resolved after the initial mail or telephone contact, the board may request inspection of the land by sending the request by certified mail at least 10 days after the initial contact is attempted.
- (b) If the landowner has an agent for service on file with the secretary of state, the notice must be given by mail to the registered agent. The landowner or the landowner's representative shall respond to the notice within 10 days.
- (c) If the board or the board's agent and the landowner or landowner's representative agree to an inspection, the board or the board's agent and the landowner or the landowner's representative shall inspect the land at an agreeable time. The inspection must occur within 10 days after the agreed-upon inspection date. If within 10 days after sending a certified letter to the address listed on the tax records for the property or the agent of service the board is unable to determine the owner of the property or the landowner objects to the inspection, the board or the board's agent may seek a court order to enter and inspect the land to determine if noxious weeds are present on

the

property.

(2) (a) (i) If the board or the board's agent finds noxious weeds on the property as a result of the inspection, the board or the board's agent shall notify the landowner or the landowner's representative by certified mail that noxious weeds were found on the property and shall seek voluntary compliance from the landowner or landowner's representative with the district noxious weed management program. **(ii)** The notice must contain the language specified in this section. **(iii)** If ownership of the land is in question or the board believes it is advisable, the board or the board's agent may also post in a conspicuous place on the property a dated order providing notice that noxious weeds have been found on the property and directing the landowner or landowner's representative to comply with the district noxious weed management program.

(b) If the board or the board's agent is unable to obtain voluntary compliance with the district noxious weed management program by the landowner or landowner's representative within 10 days after the notification or within 10 days after posting the notice under subsection (2)(a), the landowner is considered to be in noncompliance and is subject to appropriate control measures pursuant to [7-22-2124](#) or, at the discretion of the board of county commissioners, a civil penalty as established by the board following a public hearing after providing notice as required in [7-1-2121](#).

(c) (i) Within 10 days after the board has issued a notice to comply with the noxious weed management program, the landowner or landowner's representative may file a request for a hearing before the board if the landowner or landowner's representative disagrees with the noxious weed management control measures proposed to be taken by the board. **(ii)** If the landowner's objection to the board's action remains after the hearing, the landowner has 10 days to appeal the board's decision to the district court having jurisdiction in the county in which the property is located.

(d) If a request for a hearing has been filed pursuant to subsection (2) (c), the board or the board's agent may not take any action to control the noxious weeds until after the hearing and authorization from the board or the court.

(e) If the board imposes the civil penalty authorized in subsection (2)(b) and a hearing is requested in court, the penalty may be sought for each year or portion of a year during which the landowner is not in compliance with the district noxious weed management program.

(3) A landowner is considered to be in compliance if the landowner submits and the board accepts a proposal to undertake specified control measures and remains in compliance as long as the landowner performs according to the terms of the proposal. The proposal must include a requirement that the landowner or landowner's representative notify the board as measures in the proposal are taken. If the measures proposed to be taken extend beyond the current growing season, the proposal and acceptance must be in writing.

(4) In accepting or rejecting a proposal, the board shall consider the economic impact on the landowner and the landowner's neighbors, practical biological and environmental limitations, and alternative control methods to be used.

(5) If a court issues an order approving a board's actions, the court retains jurisdiction over the matter:

(a) until the actions specified in the weed management plan or court order are complete;

(b) for the length of time specified in the order; or

(c) for 5 years if the order does not specify a time limit.

(6) The department shall provide boards with a uniform notification form that must be used when notifying landowners of potential noncompliance with this part. The form must:

(a) list the noxious weeds found on the property;

(b) provide the legal description of the property;

(c) provide the address of the property, if available;

(d) state the fact that the presence of the weeds violates state law and that the landowner has 10 days after mailing of the notice to contact the board or its agent;

(e) provide the address and phone number for the board or its agent;

(f) notify the landowner of the landowner's: (i) responsibility to submit a weed management proposal; and (ii) right to request a hearing to contest the finding of noncompliance, including the timeframe for making the request; and

(g) specify the actions the board may take if the landowner fails to remove the weeds, including but not limited to the anticipated costs of destroying the weeds, the 25% penalty allowed under [7-22-2124](#), and the board's intent to file a court action to impose a civil fine that may become a lien upon the property.

History: (1) En. Sec. 9, Ch. 195, L. 1939; amd. Sec. 1, Ch. 90, L. 1941; amd. Sec. 2, Ch. 228, L. 1947; amd. Sec. 1, Ch. 51, L. 1961; amd. Sec. 1, Ch. 64, L. 1965; amd. Sec. 2, Ch. 185, L. 1969; amd. Sec. 3, Ch. 360, L. 1974; Sec. 16-1713, R.C.M. 1947; (2) En. Sec. 10, Ch. 195, L. 1939; amd. Sec. 2, Ch. 90, L. 1941; Sec. 16-1714, R.C.M. 1947; R.C.M. 1947, 16-1713(part), 16-1714; amd. Sec. 13, Ch. 607, L. 1985; amd. Sec. 1, Ch. 141, L. 1987; amd. Sec. 10, Ch. 407, L. 2001; amd. Sec. 1, Ch. 407, L. 2009; amd. Sec. 1, Ch. 320, L. 2011.

Provided by Montana Legislative Services

Montana Code Annotated 2011

7-22-2124. Destruction of weeds by board -- court order -- deposits.

(1) (a) The board may seek a court order to enter upon the landowner's land and institute appropriate noxious weed control measures, which may include contracting with a commercial applicator pursuant to subsection (1)(c)(iii), if: (i) the landowner or the landowner's representative does not take corrective action within the time specified in [7-22-2123](#)(2); (ii) a proposal is not made and accepted as provided in [7-22-2123](#)(3); and (iii) the board does not receive a formal objection or a request for a hearing.

(b) If the board decides to seek a civil penalty under [7-22-2123](#)(2) (b) instead of taking the control measures, the board shall obtain judicial approval from the court for the penalty.

(c) (i) After taking action pursuant to subsection (1)(a) or obtaining a court order and instituting appropriate noxious weed control measures, the board shall submit a bill to the landowner that covers the costs of the weed control measures and contains a penalty not exceeding 25% of the total cost incurred. The bill must itemize the hours of labor, cost of material, equipment time, legal fees, and court

costs or provide an invoice from a commercial applicator if the board contracted for weed control pursuant to subsection (1)(c)(iii). The board shall provide a copy of the bill, including the penalty, to the county clerk and recorder. (ii) Labor, material, and equipment used by the board in instituting appropriate noxious weed control measures must be valued at the current rate paid for commercial management operations in the district. The bill must reflect actual legal fees and court costs incurred by the board. The bill submitted to the landowner under subsection (1) (c) (i) must specify and order a payment due date of 30 days from the date the bill is sent. (iii) The board may enter into an agreement with a commercial applicator, as defined in [80-8-102](#), to destroy the weeds. The commercial applicator shall carry all insurance required by the board.

(d) All penalties collected pursuant to this section are in addition to other penalties authorized under this chapter and must be credited to a noxious weed fund created under [7-22-2141](#).

(2) If a landowner who received an order to take corrective action requests an injunction or stay of the corrective action in district court within 10 days of receipt of the order, the board may not institute control measures until the matter is finally resolved, except in case of an emergency. If the board declares an emergency and institutes appropriate measures to control the noxious weeds, the landowner who received the order under [7-22-2123](#)(2)(a) is liable for costs as provided in subsection (1) of this section only to the extent determined appropriate by the board, the board of county commissioners, or the court that finally resolves the matter.

History: En. Sec. 11, Ch. 195, L. 1939; amd. Sec. 3, Ch. 90, L. 1941; amd. Sec. 3, Ch. 228, L. 1947; R.C.M. 1947, 16-1715(part); amd. Sec. 14, Ch. 607, L. 1985; amd. Sec. 2, Ch. 141, L. 1987; amd. Sec. 11, Ch. 407, L. 2001; amd. Sec. 2, Ch. 407, L. 2009; amd. Sec. 2, Ch. 320, L. 2011.

Provided by Montana Legislative Services

Flathead County Weed & Parks Dept

309 FFA Dr.
Kalispell, Mt 59901
758-5798 / 758-5800

Flathead County Weed Control Dist. Revegetation Policy

In an effort to control noxious weed spread and propagation (7-22-2116), and to control the invasion of new invasive weed species(MCA 7-22-2109), and to promote and enforce noxious weed free lands on both public and private properties, and according to MCA 7-22-2152, the Flathead County Weed Control Dist. adopts the following revegetation policy.

Any County Road Right-of-Way that is disturbed in any manner, must be reseeded by the contractor or the utility company responsible to the satisfaction of the Flathead County Weed Control District.

Certified weed seed free blend of specific grasses that is absent of legumes and broadleaves (so as not to attract deer) that contains a mixture of 34% Potomac Orchard Grass, 33% Smooth Brome Grass, and 33% Fawn Tall Fescue must be used. Grass seed percentages should not exceed + or — 2% variance. Orchard grass shall be of minimum 85% germination, Smooth Brome shall be a minimum of 95% germination, and Tall Fescue shall be a minimum of 95% germination. Any other type of grass may not be used unless approved by the Flathead County Weed Control Dist.

Standard rotary seed spreaders, drills or hydroseeders are acceptable means of seed distribution. The rate of reseeding shall be No Less than 25 pounds per acre. Seeded areas should then be covered by raking or harrowing in, or covered with certified weed free hydroseed mulch, or certified weed seed free straw.

A 16-16-16 fertilizer should be applied (when feasible) at the rate of 100 lbs. per acre during the revegetation process.

Upon request, the Flathead County Weed Control Dist. may require proof of seed application.

If germination does not meet standards set by the Flathead County Weed Control Dist., the responsible party or entity shall reseed the area in question until the standards of the Department is met.

Reseeding shall occur after completion of project, either between April 15 and June 15 or between Oct. 1 and Nov. 15.

Failure to comply with this policy would result in the Flathead County Weed Control Dist. conducting the revegetation and the responsible party charged supplies, equipment, and labor and penalty following current Department standard charges for such services.

Flathead County Weed Control Dist. Board Chairman _____

Flathead County Weed Control Dist. Superintendant _____